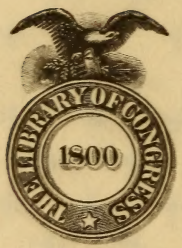
I. O. O. F.



THE PENNSYLVANIA DIGEST

1907



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Odd-fellows, Independent order of- Pennsylvania.

I. O. O. F.

THE PENNSYLVANIA DIGEST

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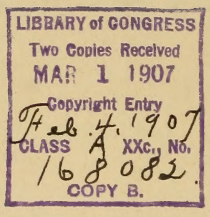
THE LEGISLATION AND DECISIONS OF THE GRAND LODGE OF PENNSYLVANIA, AND THE APPROVED DECISIONS OF THE GRAND MASTER THEREOF, AS WELL AS THE GENERAL LAWS OF THE ORDER RELATING TO THE GRAND LODGE, SUBORDINATE LODGES, REBEKAH LODGES AND THE HOMES OF THE ORDER IN PENNSYLVANIA

PHILADELPHIA:

PUBLISHED BY AUTHORITY OF THE GRAND LODGE OF PENNSYLVANIA, I. O. O. F.

1907.

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1907



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GRAND CHARTER

ORDER OF INDEPENDENT ODD FELLOWS

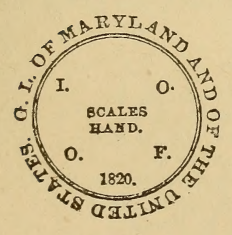
TO ALL WHOM IT MAY CONCERN:

The Grand Lodge of Maryland and of the United States, by authority of a Grand Charter granted by the Duke of York Lodge, held in the Borough of Preston, County Palatine of Lancaster, England, doth hereby grant

THIS GRAND CHARTER

to five Past Grands of the Order of Independent Odd Fellows, residing in the State of Pennsylvania, to form a Grand Lodge for the said State for the encouragement and support of Brothers of the said Order when on travel or otherwise. And the said Grand Lodge, being duly formed, is hereby authorized and empowered to grant Warrants or Dispensations to true and faithful Brothers to open Lodges according to the laws of Odd Fellowship, and to administer to the Past Grands all the privileges and benefits appertaining to the Grand Lodge, and to enact By-Laws for the government of their Lodge. PROVIDED, ALWAYS, *That the said Grand Lodge act according to the Order, and in conjunction with and obedience to the* GRAND LODGE OF THE UNITED STATES, *adhering to and supporting the Constitution thereof. In default thereof this Charter may be suspended or taken away at the decision of the Grand Lodge of the United States. And further, the Grand Lodge, in consideration of the due performance of the above, do bind themselves to repair all damages or destruction of the Charter, whether by fire or other accident, provided proof be given that there is no illegal concealment or wilful destruction of the same.*

IN WITNESS WHEREOF, *We have displayed the colours of our Order and subscribed our names and affixed the Seal of the Grand Lodge of Maryland and of the United States this thirteenth day of June, A. D. one thousand eight hundred and twenty-three.*



THOMAS WILDEY, G. M.,
JOHN WELCH, D. G. M.
THOMAS MITCHELL, G. W.,
JOHN PAWSON ENTWISLE G, S.,
JOHN BOYD, G. G.,
WILLIAM LACKHAM, G. C.,
P. G. DUNCAN McCORMACK,
" *JAMES LEED,*
" *JOHN NELSON,*
" *WILLIAM TONG,*
" *THOMAS SCOTCHBURN,*
" *WILLIAM WILLIAMS,*
" *WILLIAM ANSTICE.*

CHARTER OF THE GRAND LODGE.

INDEPENDENT ORDER OF ODD FELLOWS.

TO ALL WHOM IT MAY CONCERN, THESE COME GREETING:

The Grand Lodge of the United States of America, by authority of a Grand Charter granted by the Duke of York Lodge, held in the Borough of Preston, County Palatine of Lancaster, England, confirmed by the Grand Annual Moveable Committee of the Manchester District; doth hereby grant

THIS GRAND CHARTER,

on the application of five Past Grands of the Independent Order of Odd Fellows residing in the city of Philadelphia, to form

A GRAND LODGE FOR THE STATE OF PENNSYLVANIA,

And the said Grand Lodge, being duly formed, is hereby authorized and empowered to grant Warrants and Dispensations to true and faithful Brothers to open Lodge, according to the laws and usages of Odd Fellowship, and to administer to all the Past Grands the privileges and benefits appertaining to the Grand Lodge, and to enact By-Laws for the government of the same. PROVIDED ALWAYS, *That the said Grand Lodge shall be held in the City of Philadelphia, in the state aforesaid, and not removed therefrom without the consent of the Grand Lodge of the United States; and also that they pay due respect and obedience to this Grand Lodge by acting in conjunction therewith, and in every manner supporting its Constitution. In default thereof this Charter may be suspended or taken away at the decision of the Grand Lodge of the United States.* AND FURTHER, *the Grand Lodge, in consideration of the due performance of the above, do bind themselves to repair all damages or destruction of the Charter, whether by fire or other accident, provided sufficient proof be given that there is no illegal concealment or wilful destruction of the same.*

IN WITNESS WHEREOF, *We have displayed the colours of our Order and subscribed our names, and affixed the Seal of the Grand Lodge of the United States this first day of May, Anno Domini 1827.*

SEAL

THOMAS WILDEY, G. S.,
JOHN WELCH, D. G. S.,
JOHN ROACH, JR., G. S.,
JOHN ROACH, G. G.,
P. G. THOMAS SCOTHBURN, R., Md.
" CHARLES PRICE, P., Mass.
" JOHN BOYD, P., Penna.
" RICHARD, MARLEY, P., N. J.

PHILADELPHIA, January 1, 1907.

GEORGE H. BANES,

Grand Master.

Grand Lodge of Pennsylvania, I. O. O. F.

DEAR SIR AND BROTHER:

The undersigned, appointed by the Grand Lodge to Revise "The Pennsylvania Digest," present herewith our completed labors, and we hereby certify that obsolete laws and decisions have been rejected, and that the Digest so amended and revised, is, in the united judgment of the Committee, in accordance with law, order, and usage; and, therefore, as required by the resolution of the Grand Lodge, we submit the same for your approval.

Fraternally submitted,

George Hawkes

Chas. Chalfant Jr.

Harry L. Reale

Wm. Jenkins

J McGregor Gibb

Alexander Edgar.

Secretary of Committee.

I. O. O. F.

Office of the Grand Master

OF THE

GRAND LODGE OF PENNSYLVANIA,

Odd Fellows Temple, Broad and Cherry Sts.

PHILADELPHIA.

Philadelphia, January 1st 1907

To all whom these presents shall come, Fraternal Greeting

Whereas, Brothers

George Hawkes, P.G.M.
Charles Chalfont, P.G.M.
Harry L. Neall, P.G.M.
J. P. Hale Jenkins, P.G. of No. 430.
J. McGregor Gibb, P.G. of No. 375
Alexander Edgar P.G. of no. 319

were duly appointed to digest the laws of the Order for the Jurisdiction of the Grand Lodge of Pennsylvania, and they having reported the following Digest as the result of their labors, and that the various provisions therein contained are, in their united opinions, in accordance with law order and usage.

Therefor, by authority of the Grand Lodge, I do hereby certify and declare that the same is published for the information and government of the order in this Jurisdiction.

Attest George H. Danes.
Joseph H. Mackey. Grand Master.
Grand Secretary

GRAND LODGE OF I.O.O.F. PENNSYLVANIA

LEGISLATION

CONCERNING

THE PENNSYLVANIA DIGEST

BRIEFLY SUMMARIZED.

The Committee on Digest were directed to so arrange the matter contained in the Digest as will enable the membership to be advised as to the general and local application of the legislation of the Grand Lodge of Pennsylvania.

The Committee on Digest were authorized to employ the services of a compiler, an appropriation being made for that purpose,

HARRY L. NEALL, Past Grand Master,

was employed as such compiler.

The Committee on Digest were instructed that when they shall have completed their labors, and certify that obsolete laws and decisions have been rejected, and that the Digest so amended and revised in accordance with the united judgment of the Committee, is in accordance with law, order and usage, they shall submit the same to the Grand Master for his approval, and upon his approval he shall certify to that effect.

FORWARD.

THE LAWS GOVERNING THE GRAND LODGE, THE SUBORDINATE LODGES, THE REBEKAH LODGES AND THE HOMES, AS THEY MAY RESPECTIVELY APPLY, WILL BE FOUND IN THE CONSTITUTION AND BY LAWS OF THE GRAND LODGE, IN THE CONSTITUTION FOR SUBORDINATE LODGES, IN THE APPROVED LODGE BY LAWS OF THE SEVERAL SUBORDINATE LODGES, AND IN THIS DIGEST.

In this Digest the effort has been made to make each heading, whether main or subdivision, complete in itself, so that no reference to the index, or to any other part of the book, may be necessary. Therefore, the several laws have been repeated whenever their different meanings may require association with other laws, in order to present a clear statement of the subject then under consideration.

While the laws have been stated in the respective sections in the body of the Digest without a statement as to the source from which they have severally been obtained, nevertheless, if further investigation should be required, an examination of the corresponding number under the title of Reference, wil indicate at once the place where the original record thereof can be examined

THE PENNSYLVANIA DIGEST.

NOTE.—The references to the book and page of the original records from which the citations in this Digest have severally been obtained, will be found in the third part of the book under the heading "References."

The sections of the Constitution and By-Laws of the Grand Lodge and the Constitution for Subordinate Lodges are not repeated in the several sections of this Digest, nor referred to, except here and there where a reference thereto is necessary to explain some part of the general law as applicable to this jurisdiction, or, where the legislation of the Grand Lodge cited herein, may require a reference to the written code of laws.

Attention is, however, particularly called to the headings, **Conflict of Laws, General Law and Local Law**, and to the **References** as being of assistance to determining the value of the several sections and to the elucidation of the local laws as contained in the Constitution and By-Laws of the Grand Lodge, and the Constitution for Subordinate Lodges.

ABLE TO WORK.

(a). **Able to Earn a Livelihood.**
(b). **Unable to Follow His Usual Occupation.**
(c). **Able to Follow Some Other Occupation.**
(d). **Earn a Sum Equal to Weekly Benefit.**
(e). **Found at Work.**

(a). Able to Earn a Livelihood.

1. The Lodge must be prepared to show by competent evidence that a brother who is sick or laboring under a physical disability amounting to unsound health, is, nevertheless, able to earn a livelihood. It may show this by proving that he is able to follow his usual occupation, or it may prove that he is following some other occupation, or it may prove that he is able to follow some other occupation whereby he may be able to earn a livelihood.

2. What is a livelihood is a conclusion resulting from the facts peculiar to each case as it may arise. The question is, will the sum the brother might earn, in the community where he lives, purchase a livelihood? If so, he is not beneficial.

3. Where a brother is sick, but his wages continue, as, for example, where he may be in receipt of a yearly salary, or, like a soldier, where his board and medical attention are part of his wages, or his employer may voluntarily continue to pay him wages; in such cases the continuance of his salary, or wages, by his employer, shall not be construed to deny the right of benefits to a brother whose ability to personally earn a livelihood has been lessened by the disability.

4. In other words, it is not the payment of wages, but the ability of the brother to earn wages, that constitutes the test. In those cases, where the brother's earning capacity is not affected by the injury or sickness, benefits are not payable; but if otherwise entitled, under the local law, the fact that he receives his salary or wages does not disentitle him to benefits.

5. A brother temporarily deprived of the use of his arms by boils thereon, but who is engaged in a business where manual labor was not required to be performed by him, and who was capable of, and did attend to the ordinary duties of superintending his business and directing his workmen in their operations, is not entitled to benefits.

ABLE TO WORK—Able to Earn a Livelihood.

6. When a brother who was sick and claiming benefits has had no occupation for a long period of time, and therefore cannot be incapacitated from following his usual occupation, and is not dependent upon any occupation for a livelihood, the positive testimony of a reputable physician that the brother is unable to perform manual labor cannot be rebutted by any amount of testimony by brothers of the Lodge that, in their judgment, he is not incapacitated from following his usual or some other occupation whereby he can earn a livelihood, The ability of a brother who is sick to earn a livelihood will not be presumed; it must be proven.

7. A brother was so injured by a fall as to be beyond the reach of surgery or medicine. His wife worked at a sewing machine for the support of the family, but occasionally, when she was engaged in other duties, the brother would take her place at the machine. Held that the brother was entitled to benefits.

8. A brother was sick with consumption and in the receipt of benefits; on three different days he waited and tended bar in his uncle's tavern, without compensation, on the recommendation of his physician, to keep his mind engaged to prevent despondency. He was also allowed to perform such little offices as would not prove detrimental to his health. Held that he could not be deprived of benefits

9. After a lodge had been paying a brother benefits to which he was justly entitled for some time, it appointed a physician, who was a member of the Order, a committee to ascertain his condition. The committee reported that he had learned from the brother's physician and from personal examination that the brother was of a nervous disposition and suffering more or less from different diseases, which were of such a nature "that he should not follow his former or usual occupation, or to do anything that would require much lifting, straining or exposure to extremes of temperature." Yet it was the opinion of the physician who had examined the case that he should not refrain from all work, but that some light work would be advantageous. Held, that the brother was entitled to benefits.

10. A soldier, being a member in good standing in a Lodge, is taken sick and confined to a hospital, and incapacitated for work, but his wages continue during his illness, and his expenses for medical attendance, nursing, etc., are paid by the government. He is entitled to benefits. It is not the question of the payment of wages, but of the ability of a brother to earn wages, which constitutes the tests in respect to a claim for benefits.

11. A Lodge failing to show that the brother is competent to tend to some business of which he has a sufficient knowledge to earn a livelihood, or a sum equal to the weekly benefits, he is entitled to benefits.

12. Where a brother is sick and drawing benefits at the rate of three dollars and fifty cents a week, a committee of the Lodge procured for him an offer of a position at eighty dollars per year, which the brother declined. This was reported to the Lodge, which presumed that if, in conjunction with the duties of the position offered him, he would sell segars, candies, cut wood, etc., he might earn sufficient money, with the salary he would have received, to equal the amount of weekly benefits, and because of the refusal of the brother to accept this position, the Lodge ceased paying him benefits. On appeal to the Sovereign Grand Lodge it was held that, of course, if a brother has or can reasonably obtain an occupation whereby he can make a living, he would not be entitled to benefits. This however, cannot be presumed, but must be made to appear. The brother was awarded his benefits.

(b). Unable to Follow Some Other Occupation.

13. A brother who becomes totally blind, or confirmed insane, or totally paralyzed, or one whose sickness confines him to the house, or to bed, is prima facie entitled to benefits as being unable to follow his usual occupation.

ABLE TO WORK—Unable to Follow Some Other Occupation.

14. A brother who is suffering with a chronic complaint, but is yet able to go to his place of business, and apparently able to superintend it and to participate in it to a degree, is prima facie not entitled to benefits as a sick brother, but this presumption may be rebutted by positive evidence that he is incapacitated to such an extent as to entitle him to sick benefits.

15. According to the terms of the Constitution for Subordinate Lodges in Pennsylvania, which provides that benefits are payable for a disability only when it arises from an injury, a brother, seventy-eight years of age, in feeble health, but not sick, who, on account of old age and infirmities incident thereto, was unable to follow his occupation or to conduct any other business whereby he could obtain a livelihood, is not entitled to benefits.

16. A brother, while on the sick list, by reason of a local injury, and summoned to court as a witness, is not thereby deprived of benefits.

17. A brother who, by infirmity, has been disqualified from following his usual occupation, but is not thereby incapacitated from applying himself to other pursuits, and thus enabled to provide for his support, is not entitled to the benefits of his Lodge.

18. A Lodge failing to show that the brother is competent to attend to some business, of which he has a sufficient knowledge to earn a livelihood, or a sum equal to the weekly benefits, he is entitled to benefits.

19. A brother who is afflicted with a partial loss of sight and has thereby been incapacitated from following his usual occupation, but being in other respects in good health, and is able to carry on, manage and direct another and a lucrative business, which enables him amply to provide for the support of himself and his family, is not entitled to benefits.

20. A railway conductor who, receiving injuries permanently disabling him from such position, and who refused to accept other employment paying him $45.00 per month, is not entitled to benefits.

21. When a brother is injured to such an extent that he is not able to work, but his salary continues, he is not entitled to sick benefits, provided his ability to earn a livelihood is not lessened by the disability.

22. A brother had an arm broken in a railroad accident. He was a member of a firm engaged in a saw-mill and lumber business, and was Secretary of the chamber of Commerce, and in receipt of a salary of $50.00 per month, which was paid him without any reduction for the time he was sick. He was not entitled.

23. A judge in receipt of a salary, and who attends court occasionally, but is disabled from otherwise procuring the means of subsistence for himself, is not entitled to benefits.

24. It was admitted "that a member is able to attend to business of some kind, if it could be found for him." No evidence was given on behalf of the Lodge to show that the brother was not willing to perform duty of some kind; nor was it said that no effort was made on his part to procure such. Therefore, the admission that the brother was able to perform duty of some kind, is no proof that the brother was able to gain a livelihood. The lodge, failing to show that the brother was competent to attend to some business, of which he had a sufficient knowledge to pursue successfully, he is entitled to his benefits.

25. A member in good standing in his Lodge is entitled to pecuniary benefits while sick and unable to attend to his ordinary avocation, although he may have an income sufficient for his support.

26. An aged member, who, by reason of sickness, is unable to do any work, but nevertheless gives directions concerning speculations in property in which he is interested, is entitled to benefits.

27. It appeared from the testimony of the brother that the brother was suffering with jaundice, and he produced certificates of doctors showing his

sickness. Yet, during the time he claimed benefits, he was out in all kinds of weather, and late at night. There was no evidence to show that he did attend to business, for he had no business to attend to. It was held that his sickness was not of such a character as would entitle him to benefits.

28. A brother carried on the business of manufacturing and dealing in cigars. He claimed to be unable to follow his trade of a cigarmaker on account of having the little finger of the left hand strained, which prevented him from working. The Lodge, on the other hand, claimed that as he kept a cigar store, the injury did not prevent him from attending to it, or superintending his work. Held that the brother was not entitled to benefits.

29. When a brother is sick, and drawing benefits, there must be some positive evidence that he is able to follow his usual occupation to warrant the Lodge in withholding from him further benefits. For example, when a Lodge declined to continue paying benefits to a brother for the reason that the brother's sickness did not deprive him from following his usual or other occupation, whereby he could earn a sum equal to his weekly benefits. The evidence showed that the brother is suffering with an affection of the eyes, and was under the care of the Lodge for some time. A committee was appointed by his Lodge to visit the brother to see as to his condition. The committee found the brother out when it called at his house, and waited until his return; had some conversation with him, and then reported to the Lodge that they thought he was able to work. The brother is entitled to his benefits.

(c). Able to Follow Some Other Occupation.

30. This is always coupled with the condition that the other occupation will enable the brother to earn a sum equal to the weekly benefits, or that the earnings are sufficient to purchase a livelihood.

31. A Lodge failing to show that a brother is competent to attend to some other than his usual business, and of which he has a sufficient knowledge to earn a livelihood, or a sum equal to the weekly benefits, he is entitled to benefits.

32. A brother who, by infirmity, has been disqualified from following his usual occupation, but is not thereby incapacitated from applying himself to other pursuits, and thus enabled to provide for his support, is not entitled to the benefits of his Lodge.

33. The words, "Or some other occupation whereby he may earn a livelihood," refer to business other than the brother's usual occupation, as well as to the physical condition of the brother. The framers of the Constitution did not intend any other construction, but did intend that brothers should reasonably be required to assist themselves. If not able to pursue their usual occupation, it being such as required much strength and both hands, they should, if able, employ themselves in some lighter work or occupation.

34. A brother who is afflicted with a partial loss of sight, and has thereby been incapacitated from following his usual occupation, but being in other respects in good health, is able to carry on, manage and direct another and a lucrative business, which enables him amply to provide for the support of himself and family, is not entitled to benefits.

35. The fact that a sick brother was looking for some light occupation, which he did not obtain, does not deprive him of his benefits.

36. If, however, the Lodge procures for the sick brother some similar employment, which he declines, as not being able to perform the same, the fact that he had voluntarily sought such employment would be strong corroborative evidence of the Lodge's contention that he was able to follow some occupation whereby he might earn a livelihood.

37. Where a Lodge shows by competent testimony that a brother is able to follow his usual occupation, whereby he can earn a livelihood, or a sum

equivalent to the weekly benefits, and proves that the brother did apply for a situation, it is conclusive against the brother's claim for sick benefits, in the absence of positive testimony otherwise.

(d). Earn a Sum Equal to the Weekly Benefit.

38. The subordinate Constitution defines beneficial sickness to be such as makes a brother "unable to follow his usual business, or some other occupation whereby he may earn a livelihood or a sum equal to the weekly benefits." (This is a very old provision, in Pennsylvania law.)

39. The Sovereign Grand Lodge, in 1857, adopted the following definition of beneficial sickness, namely: "That state of health which prevents one from attending to his ordinary vocation," and adds, one who is not so afflicted as to prevent attendance on ordinary business, though laboring under a peculiar disease, cannot be regarded as a sick man entitled to benefits. And in 1890 it said: "A State Grand Lodge cannot vary the definition of sickness given by the Sovereign Grand Lodge." In either definition, the ability of the brother to earn wages, or a livelihood, or to follow his usual occupation, is the test.

40. Where a brother was disabled so that he could not follow his usual occupation, but could earn four dollars and fifty cents per week at some other business, the Lodge paying five dollars per week benefits, it was held that if the brother can earn five dollars per week, even though that sum should not procure a livelihood, he is not beneficial. If he earns four dollars and fifty cents per week, and that, in the community in which he lives, would provide him a livelihood, he is not beneficial. If the four dollars and fifty cents per week would not provide a livelihood, he is entitled to benefits at the rate of five dollars per week, and not merely the difference between his earnings and the benefits.

41. A brother who was over eighty years of age, was afflicted with a paralytic stroke, and for years has been confined in and about his house, not being able to go as far as the barn without assistance. He is wholly unable to work, and can neither dress or undress himself without assistance. His memory and mind are good, being unimpaired. He holds a directorship in a National Bank, and speculates in buying and selling real estate, and can direct his business. He has an income of over three dollars a week, the amount of the weekly benefits. He was awarded his benefits by the Sovereign Grand Lodge because the evidence shows that he is wholly incapacitated from following his usual or any other manual labor.

42. Where it appeared that a brother is suffering from consumption and he claimed that he is unable to follow his usual occupation, of a lithographic artist, or any other occupation. The Lodge contended that he is, nevertheless, able to earn a sum equal to the weekly benefits. The testimony showed that the brother traveled alone all over the country, taking photographic views, carrying his own instruments and selling the pictures, for what he says was the cost of production. The Lodge contended that if he could do this for pleasure, he should do it for pay, and that it would then be quite easy for him to earn the amount of the weekly benefits. The Grand Lodge decided that the contention of the Lodge was right.

43. Whenever a Lodge sets up as a defense to the payment of benefits that the brother is able to earn a sum equal thereto, it admits the beneficial sickness of the brother, and undertakes the burden of proving that its contention is correct.

44. The application of the rule that a brother who is sick, but is able to earn a sum equal to the weekly benefits claimed by him, is therefore not entitled to benefits, is, however, to be construed as subject to the provisions and limitations of the Minimum Benefit Law, which is a general law, and takes precedence over all local laws, insofar as it is in conflict with them.

ABLE TO WORK—Earn a Sum Equal to the Weekly Benefit.

45. By the Minimum Benefit Law it is made obligatory upon each subordinate Lodge of the Order to pay from its funds during the continuance of the disability a weekly benefit of not less than two dollars to every member entitled to sick benefits by the Constitution or By-Laws of his Lodge, who shall be disabled by sickness or bodily injury from following his usual occupation or otherwise earning a livelihood for himself; provided, such disability be not the result of his own vice or immorality; provided, however, that Grand Lodges may provide that when a member shall have received one full year's benefits the weekly benefits thereafter to such a member may be fixed at not less than one dollar per week.

(e). Found at Work.

46. Where the By-Laws provided that a member "if sick or disabled, and unable to follow any vocation whereby he may obtain a livelihood, shall be entitled" to benefits, and "any brother found at work while in receipt of benefits" should forfeit those benefits during that sickness. A brother was so injured by a fall as to be beyond the reach of surgery or medicine. His wife worked at a sewing machine for the support of the family, but occasionally, when she was engaged in other duties, the brother would take her place at the machine. Held, that the words found at work had reference to and were governed by the words whereby he may obtain a livelihood, and that the brother was entitled to benefits.

47. It cannot be that it ever was intended by the words "found at work," that works of mercy, of necessity, or of charity are included, so as to deprive a brother of benefits for following the promptings of his heart in doing good to others.

ABSENCE.[1]

See Contempt.
Eligibility to Office.
Installation.
Institution of a New Lodge.
Noble Grand.
Proxy.
Quorum.
Right Supporter to Noble Grand.
Transfer of Membership.
See Vice Grand.
Witness.
Honors of Office.
Past Grand.
Past Grand's Degree.
Grand Lodge Degree.
Representative.
Jurisdiction.

48. Absence means non-attendance at Lodge meetings, or residence, traveling or sojourning beyond the jurisdiction of the Lodge. The jurisdiction of a Lodge, briefly stated is the territory within which it may recruit its membership, without asking the permission of any other Lodge, and within which it must care for, visit and watch with its own sick members and the sick members of other Lodges.

49. A Lodge cannot impose a fine upon its members for absence from its meetings.

50. A Lodge may impose a fine upon its officers for absence from its meetings, as it is their duty to attend, except the Junior Past Grand.

51. A brother has the right to absent himself from the jurisdiction of his Lodge, even though the change of place or the change of his ordinary occupation may increase the risk of life and health.

[1] From an examination it will appear that notwithstanding its nearly eighty years growth, the Constitution for Subordinate Lodges relates almost entirely to things to be done either in the Lodge-room or within the territorial jurisdiction of the Lodge. The Sovereign Grand Lodge has recently taken cognizance "that change of residence on the part of members is of constant occurrence," whereby they are taken out of the jurisdiction of the Lodge. The legislation briefly digested under this heading and under that of *Transfer of Membership*, being certainly important, and never having heretofore been presented as a whole review of the law, deserves the careful attention of the Subordinate Lodges.

ABSENCE.

52. A Lodge has no right to refuse a card to a member because of his intention to visit a more dangerous climate than that in which the Lodge is located. By parity of reasoning a Lodge would have no right to refuse benefits accruing from sickness in such clime.

53. A Lodge cannot legally provide in its By-Laws that when a brother receiving benefits shall remove to another locality, the Lodge shall determine whether the benefits are to be continued or not.

54. Subordinate Lodges most clearly have no right to refuse their members visiting cards, or to decline to accept their dues or refuse to pay them full benefits for the reason that they propose a temporary residence in any other place in which a change in their ordinary occupation would increase the risk of life or health.

55. A brother leaves for a distant country, and while there enters into a hazardous employment, and by imprudence and exposure contracts a disease from which he gets better, and has subsequently a relapse upon returning to the place where he contracted the disease, from the effects of which he is rendered incapable, on his return home, of following his usual occupation. Held that he does not lose his right to benefits because he risked his health in a different and more hazardous clime and occupation than when he joined the Order, and thereby contracted the disease for which he claims benefits.

56. A Lodge cannot legally provide that its members who do not attend the regular Lodge meetings at least once in a quarter shall not be entitled to benefits.

57. A Lodge adopted a By-Law that "In case any brother should leave the location of this Lodge while in receipt of benefits, except by direction of his physician, it shall rest with the Lodge to determine by vote whether or not he shall be entitled to a continuance of such benefits while absent therefrom." The By-Law was declared illegal, as a Subordinate Lodge has no right to prohibit its members from going to any point to which their interests may take them or their welfare or comfort demands, and in case a brother entitled to benefits removes from the vicinity of his lodge, his benefits cannot cease.

58. A Lodge adopted the following By-Law, which, on the refusal of the Committee on By-Laws to approve, came before the Grand Lodge, namely: "Any member of this Lodge receiving benefits, and who has been recommended by his physician to sojourn out of the city, shall be required to submit to the Lodge a physician's certificate, setting forth the said advice; and if he receives permission from the Lodge he shall receive the same benefits as if he were under the care of the Relief Committee; and any member who absents himself beyond the limits of the Relief Committee, without first complying with this Section, shall be deprived of receiving benefits." It was held that this Lodge attempted by a By-Law to provide, that in addition to the evidence required to be produced by an absent brother, that his illness was such as entitled him to benefits, he should, if he left home for his health, first produce to the Lodge the evidence that some physician advised his leaving home, and that such brother should then receive the permission of the Lodge to leave home, or his claim to benefits be forfeited. The laws of the Order clearly prescribe the circumstances under which a brother becomes entitled to benefits, and while Lodges have a right to regulate the manner in which the brother shall produce the evidence of his sickness, yet they cannot assume the role of medical advisers, and prescribe the course of living that a brother shall pursue.

59. It is within the jurisdiction of the Grand Lodge to approve the By-Laws of a Subordinate Lodge which provides for the payment of a higher rate of dues by those whose occupations are of such a hazardous nature as to make them more liable to accident, or by reason of their residing in a locality where the climatic conditions increase their liability to disease, than is required of the member living under ordinary conditions.

ABSENCE.

60. Where the law of a Lodge requires that a member shall notify some lodge of his sickness, and if he shall neglect to do so, he shall not be entitled to benefits, a member received his benefits up to the time he left for parts unknown, and later presented a claim for benefits; during the time of his absence his Lodge searched in vain for information of his whereabouts. The provision requiring a member absent from his Lodge to notify another lodge where he is of his sickness, is a reasonable regulation, and if a member does not comply with it, if there was a Lodge near enough to him to be reasonably accessible to notice, and if his physical or mental condition was not such as to render him incapable of giving the notice, then he would not be entitled to benefits.

61. The granting of a Visiting Card by a Lodge is a matter, of course, to a brother in good standing, and never involves the question of leave of absence.

62. It is the duty of any Subordinate Lodge, upon application of a brother, and the presentation of a properly certified card, or at the request direct of his Lodge, to promptly render the same fraternal sympathy and attention to a traveling or sojourning brother as they would bestow on a sick or disabled brother of their own Lodge; and in case of his having a visiting Card, to pay such pecuniary and attentive benefits as the brother may be entitled to receive from his own Lodge, as shown by the indorsement on the card.

63. It is the duty of every Odd Fellow, when he is away from home and out of the jurisdiction of his own Lodge, to give attention and care to his brethren in distress and watch with the sick when necessary, as well as when he is within his own jurisdiction; and further, it is and shall be the duty of every member of the Order, on taking up his residence away from the vicinity of his own Lodge, to report himself to the Lodge nearest his residence, or when it is equally near to two or more Lodges, to one thereof, within thirty days after taking up such residence, and in making such report he shall give the name, number and location of his Lodge, and when requested by the Lodge to which he has reported, shall watch with the sick who are under the care of said Lodge, both members and visitors; and any such member failing so to report or to watch shall not be entitled to attention from any Lodge. And this legislation shall not be construed to hinder or prevent any Lodge or member from furnishing watchers or giving attention to any sick or needy brother.

64. A member of the Order, residing away from the vicinity of his own Lodge for over two years, and not having reported himself to the Lodge nearest to his residence until taken sick, is not entitled to receive attention from such Lodge as a right; though the law is not to be so construed as to prevent the said Lodge, or its members, from giving attention to such a sick or needy brother, should it or they desire to assist him.

65. A Lodge cannot lawfully refuse to look after and care for brothers from a sister Lodge, who become sick or disabled, and who refuse to visit the Lodge after their first sickness.

66. Where a By-Law of a Lodge provides that a member must watch with the sick or pay a fine, a member of the Lodge who resides beyond the jurisdiction of the Lodge and fails to report to the nearest Lodge where he is residing for nurse or watch duty and have a certificate of such fact sent to his own Lodge, can be assigned to watch with the sick, and failing to do so, can be fined.

67. But a By-Law of a Lodge, which provides in substance, "that members of said Lodge, removing from the jurisdiction, must report to and register with the Lodge in whose jurisdiction he then is, and shall be subject to pay to such Lodge like assessments as it shall make against its own members in the care of the sick, or watch with the sick of said Lodge, alternately with its members, as its By-Laws shall provide, and that while within such other jurisdiction the brother shall be exempt from similar assessments

ABSENCE.

from this Lodge, if he shall report and otherwise carry out the provisions of said By-Laws; and also that members of other Lodges, reporting to and registering with this Lodge, or alternate with this Lodge, or alternate with the members of this Lodge in watching with the sick. etc," is not in accord with the existing law, and is illegal for the reason that the law requires a brother residing away from the jurisdiction of his Lodge to watch with the sick brothers under the care of the Lodge to which such brother has reported, but not to pay assessments to meet the expense of watching in such cases.

68. The recent legislation concerning transfer of membership is based upon the thought that absence destroys interest in the Lodge work, as through changing residence, many members of the Order leave the jurisdiction of their respective Lodges, and, after such removal, fail to unite with Lodges in the locality to which they have moved. This failure upon the part of members changing their residence to unite with a Lodge results, largely, in gradual loss of interest in the Order, and finally in suspension for non-payment of dues; and the question, how to prevent the drain upon our membership resulting through suspension for non-payment of dues is a serious and vital one that should be met by legislation.

69. Change of residence on the part of members is of constant occurrence, from the necessity of business, the improvements of prospects, and other causes. An Odd Fellow moving to a new locality, until he becomes sure of his prospects and future, frequently hesitates to advance the sum charged for a withdrawal card and the fee for admission to membership upon it. Being at his new place of residence a visitor, he cannot be as active as he was in his own Lodge. This inactivity causes loss of interest, and by the time his prospects and future are determined, in most instances he is in arrears and disapears from the Order by the non-payment of dues.

ADJOURN.

70. A Subordinate Lodge has no right to adjourn to another day or time, but must close its regular meetings in due form. If a special meeting is required, it must be called in the manner pointed out in the Constitution.

71. If a Lodge during its meeting is left without a quorum, it can do no further business, and the N. G. should declare it closed, without ceremony.

72. It is illegal for a Lodge to adjourn a regular meeting to another day or time, and when a Lodge closes its regular meeting, it must close in due form.

73. A motion to adjourn a Lodge to another day or time is never in order. A motion to adjourn without day is always in order, even before all the orders of the evening, as laid down in the charge books, have been called, or pending a discussion. If the motion prevails, the Lodge must then proceed to close in due form; provided, that in the event of cases of sick and distressed members having not been disposed of prior to the adoption of such motion such cases shall be considered before the Lodge is formally closed.

ADMISSION TO MEMBERSHIP.[1]

See Application. Proposition. *See* Investigating Committee. Ballot. *See* Membership. Initiation.

74. In no case can the local law provide for the admission of members by deposit of card, Dismissal Certificate, or as an Ancient Odd Fellow, in any different way from that pointed out by the general law, namely, by an application, reference to a committee and ballot, as in case of an original application for membership.

[1] "Admission to membership" is applicable only to those who are, or have been members of the Order, all others are Initiated into membership.

ADMISSION TO MEMBERSHIP.

75. A local law which provides that an applicant for membership by deposit of card shall be declared elected upon the favorable vote of a majority, if the card was issued by the Lodge in which it was deposited, is in violation of the general law, and therefore void.

76. The time when membership commences is a matter left to the local legislation, whether it should date from the night of his election or the night he signs the Constitution.

77. The general rule is that a brother who deposits his withdrawal card , either in his own or another Lodge, is a member thereof from the time of his election as a member, unless the local law prescribes as a preliminary to membership that some other conditions (for instance, that he shall sign the Constitution before becoming a member), shall be performed by him. If that law requires the signing of the Constitution, then he must appear and sign it, or authorize it to be done for him.

78. If the local law dates membership from the time of election, the card remains in the Lodge; if from the time of signing the Constitution, and the brother-elect fails to appear and sign the same, he may demand the return of his card.

79. A brother is not in full membership in a Lodge in this jurisdiction until he has signed the Constitution of the Lodge accepting him as a member.

80. The membership of a brother who joins a Lodge, upon the deposit of a withdrawal card, dates from the deposit of such withdrawal card, and cannot date back of that time, although the brother was received into the Lodge prior to the deposit of his card.

81. Where a withdrawal card is deposited with an application for membership, the Lodge may vote on the application and either elect or reject the candidate, although the card has expired pending the consideration of the application. The card having been deposited during its validity, and although the committee investigating the character of the candidate may report their findings after its expiration, the Lodge has a perfect and legal right to treat it as a live card for the purpose of balloting on the application of the candidate. A Grand Master has no authority to revive an expired Withdrawal Card.

82. When a brother is elected to membership upon deposit of an official receipt or a visiting card, he does not become a member of the new Lodge until he has obtained a withdrawal card from his former Lodge and deposited it in his new Lodge. Until the card is granted, he must pay his dues to and is entitled to benefits from his former Lodge; and he may pay his dues for four weeks, or one month, in advance of the granting of his Withdrawal Card, and be entitled to benefits during that time from his old Lodge, if he transfers his membership in accordance with the legislation of the Sovereign Grand Lodge in 1906. Such a brother does not become a full member of the new Lodge until he has signed its Constitution and By-Laws, and he cannot sign the Constitution and By-Laws of the Lodge electing him until his Withdrawal Card from his former Lodge has been granted and deposited.

83. A brother who dies after the grant of a withdrawal card by his former Lodge, and before he deposits the same with the new Lodge, is not a member of either Lodge, and his heirs have no claim against either Lodge for benefits, except as above stated under the legislation of 1906.

84. A brother, upon admission to the Lodge is entitled therein to the highest rank he has obtained in the Order. Therefore, no matter how the membership was evidenced, whether by visiting card, official certificate, withdrawal card, defunct Lodge certificate, dismissal certificate, or certificate of resignation, no ceremony of admission is required upon election. The brother presents himself and signs the Constitution, or authorizes it to be done for him, and from that moment he is a member of the Lodge.

85. All the disabilities of an Ancient Odd Fellow are removed when he is readmitted into the order.

ADMISSION TO MEMBERSHIP.

86. Membership in a Subordinate Lodge, when acquired by depositing a card or certificate, or as an Ancient Odd Fellow through resignation, dates from the time of signing the Constitution.

87. An Ancient Odd Fellow was proposed for membership in a Lodge by deposit of card; he was elected and his name placed upon and continued on the roll of members until, subsequently, suspended for non-payment of dues. He had, however, never paid his admission fee, nor caused it to be paid for him. He had not signed the Constitution and never visited the Lodge. He wrote to the Lodge, asking the return of his card, claiming that he had been proposed without his knowledge. Held that a member of the Order, applying for membership in a Lodge by withdrawal card, must accompany his application with at least one-half the admission fee; and upon his election cannot be considered a member unless he pays, or causes to be paid, the balance of the admission fee, and signs the Constitution, or authorizes it to be signed. Until these requirements are fully complied with, the admission to membership has not been effected.

ADDRESSES.

88. Under the head of the "Good of the Order," members of the Lodge who have been appointed for that purpose by the Noble Grand may at Lodge meetings deliver addresses or read essays on Odd Fellowship.

AGE AND INFIRMITY.

89. A brother who, from extreme old age is infirm, but not in unsound health is not per se as a matter of right entitled to the regular benefits allowed to sick or disabled members.

90. It would be unwise and unjust to compel Subordinate Lodges to place aged and indigent members on the same basis as sick members.

91. A member of the Order becoming infirm from old age, thereby being rendered incapable of following his usual occupation is not entitled to weekly benefits as a right, but is subject to such donations, or relief, as his necessities may require.

92. Grand Lodges are authorized to make, by appropriate legislation, such provision, if any, for benefits for aged, infirm and indigent members, as they may deem proper.

93. Old age and indigence are not considered by themselves to be sufficient to entitle members, as a matter of right, to weekly benefits. Aged members occupy the same position as other members, and are entitled to weekly benefits when sick; but this does not exclude a member rendered by age or any other cause "disabled from pursuing his usual occupation, or otherwise gaining a livelihood," from his right to benefits under the local law, provided that the Subordinate Constitution should so require.

94. A brother infirm from extreme old age (he being over eighty years old, though not in ill health), to whom his Lodge was willing to pay, as a donation, the sum allowed by its By-Laws for its old and indigent members, claimed, as of right, and not as a charity, that he was entitled to regular benefits under the By-Laws of said Lodge. It was held that he was not entitled to sick benefits.

95. A brother, seventy-eight years of age, in feeble health, who, on account of old age and infirmities incident thereto, was unable to follow his occupation or to conduct any other whereby he could obtain a livelihood, it being admitted that his infirmity is not occasioned by sickness, then, under the Constitution for Subordinate Lodges, which limits liability for disability to a disability caused by injury, he is not entitled to benefits.

96. A brother in good standing is entitled to benefits during sickness, even though such sickness is incident to old age. If not sick, but merely infirm from old age, he is not entitled.

AGE AND INFIRMITY.

97. In the early part of the year, a brother, an old man, aged seventy-seven years, had an attack of sickness. He drew benefits from his Lodge until June, at which time he had so far improved as to declare himself off the Lodge as a beneficiary. In January, he became again indisposed, and continued to draw benefits until the time in dispute. The Lodge claimed that the brother's condition was very much improved; that he is out every day in the Capitol grounds, walking about, chatting with acquaintances, &c., and attending to all the business required of him. They also argue that his present condition is one of senile decrepitude and the infirmities incident to old age, from which they are exempt from paying benefits by the laws of the Order. The brother was not entitled to benefits.

AGED ODD FELLOWS' FUND.

98. The several Grand Jurisdictions may at their discretion create, maintain and dispense an Aged Odd Fellows' Fund under the limitations and provisions fixed by general law. Hereafter all assets of Subordinate Lodges whose charters have been surrendered may be placed to the credit of a fund to be called and known as "Aged Odd Fellows' Fund." Such fund may also be increased and maintained by voluntary contributions, and by such other means as are not inconsistent with the laws of the Order.

99. It is not legal for a Grand Lodge to set aside the money received from the treasuries of defunct Lodges, or from the sale of the property of such Lodges, as a fund out of which to pay sick or funeral benefits to such members as are unable to join any other Lodge by reason of age, distance, or physical condition. Such funds and property so received can only be applied to the relief of "Aged Odd Fellows" under the limitations and according to the express provisions of legislation found on page 14,941 of the Sovereign Grand Lodge Journal of 1896, and amendment thereto found on page 15,603 of said journal of 1897.

100. The question was asked, is the above decision made and approved by the Sovereign Grand Lodge correct, or may the Subordinate Grand Jurisdictions refuse to establish an "Ancient Odd Fellows' Fund," and dispose of the effects of defunct Lodges as may seem most expedient; provided, that the usages and customs of the Order be not violated. It was held the decision is correct.

101. While Subordinate Lodges might voluntarily make donations to unaffiliated aged Odd Fellows, it would not be in harmony with the law upon the subject for a Grand Master to issue a circular calling upon Lodges to do so, except in strict accordance with the requirements of the general law for the creation of an Aged Odd Fellows' Fund.

102. All contributions made, become a part of the Aged Odd Fellows' Fund, in accordance with the legislation above cited.

103. Grand Secretaries shall keep a register to be known as the "Aged Odd Fellows' Register."

104. Any Odd Fellow over fifty years of age, who has been in continuous membership for twenty-five years or over, and whose Subordinate Lodge has surrendered its charter, and who would, under the laws of the Order, be entitled to receive a Withdrawal Card or Grand Lodge Card, may petition the Grand Lodge to place his name upon the "Aged Odd Fellows' Register." Said petition shall be accompanied by such a certificate of eligibility from such authority as the Grand Lodge may prescribe. Upon such petition being granted, the Grand Secretary shall place the name of such petitioner upon the "Aged Odd Fellows' Register."

105. Any Odd Fellow enrolled according to the above provisions may apply for admission to any Subordinate Lodge under the conditions hereinafter set forth.

106. Any Odd Fellow enrolled upon the "Aged Odd Fellows' Register" may be admitted to membership in a Subordinate Lodge. He shall pay to

the Grand Secretary, through the Lodge to which he has been admitted, such admission fee and dues as the Grand Lodge may prescribe, said fees and dues to be placed to the credit of the "Aged Odd Fellows' Fund."

107. Any Odd Fellow enrolled as above in a Subordinate Lodge, as herein provided, who becomes sick or disabled so as to be incapable of earning a livelihood, shall receive from the Grand Secretary, through the Lodge to which he has been admitted, such weekly benefits as the Grand Lodge may prescribe, so long as the moneys collected under the provisions of the "Aged Odd Fellows' Fund" shall permit the payment of the same.

108. Subordinate Lodges shall immediately notify the Grand Secretary in all cases of sickness or disability referred to in the preceding section, of their commencement and termination, and the Grand Secretary shall notify Lodges having members on the "Aged Odd Fellows' Register," when the said fund shall be depleted.

109. A member of a Subordinate Lodge, admitted under the above provisions, shall not be entitled to vote or speak on any question involving the disposition of the funds or property of the Lodge.

110. Upon the death of an aged Odd Fellow enrolled as above, who shall be entitled to benefits of this fund, there shall be paid as funeral expenses such sum as the Grand Lodge may prescribe, so long as the moneys collected under the provisions of the "Aged Odd Fellows' Fund" shall permit the payment.

111. No Lodge receiving such members as above provided, shall be liable for the payment of any sick benefits or funeral expenses to or on account of such members; nor shall any such member be required to pay any dues or assessments to such Subordinate Lodge, except for the benefit of the "Aged Odd Fellows' Fund."

112. Grand Bodies are not compelled to change their Constitutions so as to provide that funds received from defunct subordinates shall constitute a fund for the relief of Ancient Odd Fellows.

113. The law relating to non-contributing members, and the law providing for the Aged Odd Fellows' Fund, are both amendments to the original Aged Odd Fellows' law, adopted by the Sovereign Grand Lodge in 1864.

114. The law was merely amended so that Odd Fellows who have been for twenty-five consecutive years in good standing, and who are in arrears for more than one year, may not be dropped from the roll of membership; and so that the law permitting aged Odd Fellows, who were members of defunct bodies, to become non-beneficial members, should be broadened to the extent that it will permit aged Odd Fellows no longer able to pay the dues required, when benefits are received, to continue their membership as non-beneficial members, and they are therefore within the terms of the Aged Odd Fellows' Fund.

115. A resolution that all members in good standing in any Subordinate Lodge under this jurisdiction at the time it surrenders its charter to the Grand Lodge, shall continue to be members of the Order under the supervision of the Grand Lodge of this jurisdiction, and shall pay to the Grand Lodge dues in the sum of $1.00 per month, to be held by the Grand Treasurer, and known as the Defunct Lodge Benefit Fund; and he shall receive benefits of $4.00 per week, to be paid out of said Defunct Lodge Benefit Fund, upon order of the Grand Master; provided, there be sufficient money in said fund to pay such benefit. Any member of a defunct Lodge, paying his dues as provided here, shall be entitled to receive all proper pass words from the Grand Master; shall remain in good standing in the Order, and shall enjoy all the privileges thereof. Said Resolution, if adopted by a Grand Lodge, would not be legal, for the reason that the resolution goes farther and embraces provisions not contained in the legislation on the subject of the Aged Odd Fellows' Fund. Said resolution undertakes to provide that members of defunct Lodges shall continue to be members of the Order in good standing, under the supervision of the Grand Lodge of the jurisdiction, and further pro-

AGED ODD FELLOWS' FUND.

vides that such members shall be entitled to receive passwords, etc., and does not comply with the legislation of the Sovereign Grand Lodge, which provides for a limited membership in a Subordinate Lodge of those who have become fifty years of age, and been in continuous membership for twenty-five years or more only. The resolution has no limitation as to age, and does not provide or require that members of defunct Lodges shall apply to or become members under the conditions provided by law of Subordinate Lodges.

116. Resolved, 1. That there shall be annually appointed by the Grand Master, a Committee of five, to be called the Committee on Petition for Relief for Members of Defunct Lodges. To this Committee shall be referred all appeals for aid for members of defunct Lodges who, by reason of their advanced age at the time the Lodge became defunct were unable to become beneficial members of any working Lodge in the jurisdiction.

117. Resolved, 2. That all petitions for aid or relief as above specified shall contain a complete statement of the character of the brother's disability, and the cause thereof; the number and name of the Lodge of which he had been a member, and when the said Lodge became defunct; that the said petition shall be signed by the brother asking for the relief, and the same shall be approved by the Relief Committee of the Lodge of which he is a non-beneficial member, or the Lodge nearest and most convenient to the brother's residence, under the seal of the said Lodge; and that unless the application conforms to the said requirements, it shall not be considered by the Committee on Petition for Relief for Members of Defunct Lodges.

118. Resolved, 3. That the Committee on Petition for Relief for Members of Defunct Lodges may, upon the written authority of the Grand Master, issue an appeal to the Lodges in this jurisdiction, requesting them to make a voluntary contribution to a fund for the purpose of relieving such members of defunct Lodges as are above referred to; the claimants upon such fund to be such members of defunct Lodges who, in order to continue their identification with the Order, shall have, within one year after the surrender of the charter of their own Lodge, become non-beneficial members of some other Lodge of the Independent Order of Odd Fellows.

119. Resolved, 4. That in such appeal the committee shall state briefly the number of cases they have in their charge, and generally the necessities that call for their assistance. The moneys received from the said appeal, or appeals, shall be deposited in a general fund, the principal and interest whereof shall be used at the discretion of the committee, acting conjointly with the Grand Master for the relief of deserving brethren of defunct Lodges, as before described.

120. Resolved 5, That whenever the fund is exhausted, the committee may make another appeal to the Lodges for voluntary contributions. Provided that not more than one such appeal may be made in any one year. The accounts of the committee shall be audited annually by the Committee on Finance, and the money shall be paid on the order of the committee (approved by the Grand Master) by the Grand Secretary drawing a draft for the amount upon the Grand Treasurer, which he shall forward to the Lodge of which the petitioner is a non-beneficial member, or the Lodge nearest and most convenient to the applicant brother's residence, the Relief Committee of which Lodge shall give the brother attentive benefits and disburse the moneys to or for the brother as directed by the Committee on Petition for Relief for Members of Defunct Lodges. This committee shall report annually to this Grand Lodge, giving a detailed statement of all their transactions, and shall be subject to any orders, or to a review of their proceedings as from time to time shall or may be made, directed, and required by this Grand Lodge.

121. The sum of $52.00 per annum is the maximum amount to be paid to any one beneficiary. The year to begin May 1st and end April 30th of the following year.

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122. The Committee on Appeals for Aid For Members of Defunct Lodges would respectfully report that they have considered the several propositions referred to them and have failed, as yet, to formulate any plan better than the provisions contained in the standing resolutions relating to appeals for the Aged Odd Fellows' Fund.

123. A funeral benefit, the maximum of which shall be $60.00, is to be paid upon the death of a beneficiary.

FORM OF PETITION FOR ENROLLMENT IN THE AGED ODD FELLOWS REGISTER.

.....19...

To the Grand Lodge of Pennsylvania, I. O. O. F.:

Sirs and Brothers:—The petition of the undersigned, who is over fifty years of age, who has been in continuous membership for twenty-five years or over, whose Subordinate Lodge has surrendered its charter, and who, under the laws of the Order, is entitled to receive a (Withdrawal or Grand Lodge) Card, fraternally and respectfully represents:

1. That your petitioner was born at.....on.....

2. That your petitioner was initiated into the Order on the.....day of.....into.....Lodge, No..... I. O. O. F., located at....., in the Grand Jurisdiction of.....and (Here give complete history of connection with the Order, showing twenty-five years' continuous membership) whereby he became and was a member of the Order for 25 or more continuous years, and was a member in good standing of.....Lodge, No....., I. O. O. F., of the Grand Jurisdiction of Pennsylvania at the time of the surrender of its charter to the Grand Lodge of Pennsylvania, and was therefore at that time, upon payment of arrears of dues, entitled to receive from the Grand Secretary a Withdrawal Card issued to a member of a defunct Lodge.

Wherefore your petitioner prays that your honorable body will direct the Grand Secretary to place his name upon the "Aged Odd Fellows' Register" for this jurisdiction, and that he may be granted the rights and privileges of a beneficiary of the "Aged Odd Fellows' Fund."

Yours in Friendship, Love and Truth,

.....

I.....the petitioner above named, upon my word of honor as an Odd Fellow do hereby declare and say that the facts above stated are true.

.....

Note.—The Grand Lodge not having prescribed the certificates to accompany this petition, the applicant must annex all certificates that will be required to sustain his claims, of which certificate the following will serve as a sample:

To the Grand Lodge of Pennsylvania:

I hereby certify that an examination of the books and records of..... Lodge, No....., I. O. O. F., in this office show that.....,the above named petitioner was a member of this Lodge at the time of the surrender of its charter. That he was at that time, upon the payment of his arrears for dues and the price of a card, entitled to receive a Withdrawal Card such as is issued to members in good standing of defunct Lodges (or that by reason of the lapse of over one year from the date of surrender he is now entitled to receive a Grand Lodge Card), and furthermore, that the records of said Lodge, No., I. O. O. F., disclose that said.....has had years' continuous membership therein.

.....Grand Secretary.

AGED ODD FELLOWS' FUND.

FORM OF APPLICATION FOR RELIEF BY A MEMBER OF A DEFUNCT LODGE, UNDER RESOLUTION OF GRAND LODGE OF PENNSYLVANIA, I. O. O. F., ADOPTED MAY SESSION, 1900.

1. Application for relief of Brother.....

2. Complete, specific and detailed statement of the nature of the brother's disability, its origin and cause.....

3. What was the age and physical condition of the brother at the time his Lodge became defunct?

4. Why was he at that time unable to become a beneficial member of a Lodge in this jurisdiction?

5. The number and name of Lodge to which the brother belonged and length of membership.....

6. Date when the charter of the Lodge of which the applicant was a member was surrendered.....

7. Age of applicant.

8. Previous avocation or employment.

9. Was the applicant beneficial when the charter of his Lodge was surrendered?

.....Applicant.

Hall of.....Lodge, No.....I. O. O. F.,

of (insert name of town or city and the date) County, Pa.,.....19..

The undersigned, members of the Relief Committee of.....Lodge, No....., I. O. O. F., do hereby certify that Brother....., the above named applicant for relief, is at present, and has been since.....a non-beneficial member of this Lodge; that upon careful and disinterested examination of the allegations hereinbefore made by the said applicant, we find the statements herein contained to be.....correct, and do therefore.....approve said application, and request the seal of this Lodge to be hereunto affixed.

(Seal of Lodge.)

..... Relief Committee.

Attest: Lodge, No.....,I. O. O. F.

.....Secretary. Noble Grand.

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124. There is no law prohibiting the soliciting of persons to petition Lodges for membership; on the contrary, it is both admissible and advisable to present to good citizens the advantages of the I. O. O. F. in a proper way, ask consideration, and if they are favorably impressed, to request their application for membership.

125. Each of the over one hundred thousand members in this Grand Jurisdiction is supposed to be active in presenting the merits of the organization to prospective new members. It must be clearly understood, however, that each is in no way the agent of the organization, authorized to bind it so as to alter or vary its laws, rules or customs. If the Order were bound to furnish all the foolish things that are related of initiations and ritualistic work, there would soon be an end to the solemn ceremonies and the law would soon cease to be respected. The Grand Bodies, State and Sovereign, have made public

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the things they wish to be known, among which is the Constitution for the Subordinate Lodges, and the slightest intelligent inquiry will bring the applicant correct information concerning his proposed membership. Moreover, the candidate, when he presents himself for initiation comes alone, and he obligates himself without reservation to abide by the laws, rules and regulations of the Lodge and of the Grand Lodge to which it may be subordinate, as well as of the Sovereign Grand Lodge, and in pursuance of this he signs the Constitution. He cannot therefore hope to alter or evade any of its provisions and requirements, or those of the general or local laws, usages, customs or regulations of the Order.

126. A brother who misrepresents the facts to one about to join the Order makes himself liable to charges and discipline.

127. A Lodge cannot give any compensation or premium to its members for proposing new members to the Lodge. They can, however, by amendment to their By-Laws, reduce the initiation fee to the minimum ($5.00), if the fee is greater than that sum.

AGE OF APPLICANT.

128. A Lodge may receive an application from, but cannot initiate a candidate under the age of twenty-one years.

129. A Lodge may so grade its fees for admission by initiation or card as to require a larger sum according to advance in age; provided, that in no case shall the minimum be less than that required by the Constitution.

130. Any fraudulent misrepresentation of his age by a party seeking admission into a Lodge whereby membership therein is illegally obtained for a less consideration than the law of the Lodge requires, shall discharge the Lodge from any and all responsibilities growing out of the initiation of the party in question from and after the time such fraud shall be discovered and proved or determined upon a fair investigation and upon competent testimony. It shall be legal to investigate and determine the fact of such a fraud, even after the death of the party alleged to be guilty thereof; provided due notice of such investigation is given the representatives or family of the deceased claiming benefits of the Lodge.

131. A candidate represented himself as twenty-one years of age, when he was not. His Lodge tried and reprimanded him, and suspended him for six months. Held that the Lodge might do this, and that it was not compelled to expel him.

132. A brother was initiated in a Lodge and gave his age at forty years. Last winter, while residing at Upland, he was in charge of another Lodge for eight weeks, claiming to be suffering from rheumatism and old age, and stating his age to be about seventy-one years. Upon this information a charge was preferred against him for falsely representing his age at the time of his initiation. The brother claimed that the error in stating his age, at the time of his initiation, was an innocent one, and that twenty years having elapsed since then, it is now too late for the Lodge to inquire into its correctness. The brother was found guilty and suspended for two years.

133. There is no limit of age beyond which an admission to membership as a contributing beneficial member can be made, if the Lodge so desires. It must, therefore, provide in its By-Laws for initiation fees for all ages.

134. Advanced age is not in itself a disqualification for membership. Lodges cannot, therefore, legally enact that persons cannot be initiated after a certain age; much less can they refuse to restore to membership upon that ground alone. Lodges may require an applicant of advanced age to pay an equivalent for guaranteeing the payment of benefits to him when sick.

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135. An agreement entered into by a Lodge with an applicant for membership that he will not, if admitted, ask for or take benefits for a chronic disease with which he was then afflicted, is void and does not relieve the Lodge of responsibility to pay benefits, nor will the brother be liable for expulsion in asking or receiving them.

136. A Lodge has no right to initiate a person with a chronic disease, say consumption, which may prevent his gaining a livelihood, upon the applicant's signing an agreement not to claim benefits in consequence of sickness or disability from such disease. Our Order is beneficial, and our laws require that benefits be paid in case of sickness to the rich as well as the poor, and the brother having been initiated under such agreement, regularly and without fault he is entitled to the same care, kindness and benefits when sick as other members. The agreement being void, would not release the Lodge from the obligation to pay benefits, nor would the brother be liable to trial and expulsion for a violation of his agreement not to receive them.

137. A candidate for membership in a Lodge was troubled with asthma when he was admitted, the Lodge knowing that he had the disease, and the candidate entering into a promise that he would never ask for benefits from the Lodge for any trouble arising from this disease. He was afterwards taken sick with this trouble and unable to follow his usual occupation. The Lodge must pay him benefits, as it could not legally enter into an agreement with the brother not to pay him benefits.

138. All the members of a Lodge may sign an agreement not to demand any benefits for one year, and they can do so upon their mutual agreement; but if there be one brother disposed to disregard the agreement and demand benefits, the Committee on Appeals will be compelled to decide that he is entitled to benefits.

139. A member in distress, or pretending to be, and needing money, and who asks for and receives the same from a Lodge or a member thereof under an agreement that he will repay the same as soon as he returns home, but who neglects to do so after a reasonable time thereafter, without a satisfactory excuse being given, shall be deemed guilty of conduct unbecoming an Odd Fellow, and may be expelled.

140. Bargains of Committee on Investigation with members under charges, whereby the labors of the committee are lightened and unfaithful members oft escape merited punishment, are not unique in the history of the Order. They have come to the attention of the Sovereign Grand Lodge before, and it strongly reprehends a practice subversive of the principles of justice and an assault upon its integrity.

141. A Lodge cannot make a valid agreement with one of its members who is being tried for charges that if the charges are withdrawn he will not ask any benefits, if taken sick, for five years.

142. When a brother offered to settle his claim for benefits for a lump sum, and in consideration therefor to withdraw from the Lodge, which offer was accepted and a withdrawal card issued; held that, it appearing by the brother's own witnesses that he understood the effect of the card, and in spite of the protests of his friends applied for the same, as he expected to go to France, and stated that he would have no use for it there, the Lodge has the right to refuse the application of such brother for reinstatement, or to annul the card of withdrawal. The Committee on Appeals of the Sovereign Grand Lodge, however, said that they would, in a fraternal spirit, recommend to the Grand Lodge that it make an investigation into the charge made by the brother, and which is mentioned by the Committee on Appeals of that body, that the Lodge did make an arrangement with him by which, for a consideration, he was to apply for a withdrawal card, as your committee consider such practice detrimental and contrary to

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the spirit of Odd Fellowship, as well on the part of the Lodge as its members and as injurious to the Order.

143. It is illegal to vote back part of the initiation fees, although in accordance with an agreement between the candidate and certain members, prior to initiation.

ALARM AT DOOR.

144. It is left to the Subordinate Lodges to determine, according to the arrangement, which will best suit the location of the entrances to the Lodge room, who is the proper officer to whom the alarms at the door are reported by the I. G.

AMENDMENTS.

145. The law providing for the amendment of the Constitution of the Grand Lodge does not properly apply to the work of framing a new Constitution for the Grand Lodge. A committee for such purposes should be appointed, with instructions to report at the next annual session, but the report of the committee cannot be acted on until the succeeding annual session to the one at which it is presented. This only applies where the committee report a complete code of laws, not where they merely report various changes to the Constitution and By-Laws then in force.

146. The Constitution of a State Grand Body can be amended only in the manner prescribed by the Constitution itself.

147. A revised is an amended Constitution, and must be passed as an amendment.

148. When a Constitution of a State Grand Body has been revised, by a committee appointed for that purpose, and sundry amendments made thereto, the revised instrument comes under the requirements of the old one in force.

149. In this jurisdiction the rule has been to consider the report of the committee as the performance of a Constitutional function which carries with it all that is necessary to legally bring the subject matter to the attention of the Grand Lodge, and to enable this body to pass upon, change, modify and re-enact its written code of Laws for the Grand Lodge and the Subordinate Lodges.

150. The report of the committee when presented at one session, action thereon is deferred until the next annual session, in accordance with the requirements of the general and local law.

151. The rule of procedure in considering the report of the committee is to treat it as though the body was in committee of the whole, and when thus proceeding seriatim to consider the sections of an entire code of laws, a majority vote is sufficient to adopt each section; but upon the question of adopting the code of laws as a whole a two-thirds' vote is necessary to adopt.

152. Where the Constitution of a Grand Body provides that a proposition for the amendment thereof shall be presented at a regular annual session, entered upon the Journal, and shall not be acted upon until the next annual session, at which time such proposed amendments shall be considered, the Grand Body cannot at such second session change or alter the proposed amendment. Such action would be in violation of the Constitution of the Grand Body, then in force, and the law of the Sovereign Grand Lodge, and in contradiction of the approved decision, No. 23, of the Grand Sire in 1898.

153. The true reason for the adoption of Constitutional provisions which require that amendments to the Constitutions of Grand Lodges and Grand Encampments shall lie over for a year before being adopted, and for the general law expressed, which requires such amendments to be voted on in precisely the shape in which they have been so laid over, is not that mem-

AMENDMENTS.

bers of such Grand Body may be selected with reference to the adoption of some amendment or amendments, of a nature not specifically known, which may be drafted and submitted by a committee, but is, that such members may be selected with reference to the adoption or rejection of some specific amendment or amendments, whose exact form is known, and that all members of the Order may have ample time to express themselves in reference to the exact matters to be voted on.

154. Separate amendments to sections in the Constitution or By-Laws must strictly follow the method laid down in the Constitution.

155. Where an attempt was made to amend the Constitution of a Grand Lodge because it conflicted with certain enactments made by the Sovereign Grand Lodge, and these enactments were referred to a committee who afterwards reported that they had amended the Constitution as instructed, it was held that the Constitution could not be amended, except by the regular course presented by the Constitution, and that there is no general law or precedence that can compel a Grand Lodge to amend the Constitution, except in the manner prescribed therein.

156. Amendments to Grand Lodge Constitutions can only be acted upon at a subsequent session as prescribed at a preceding session of the Grand Lodge.

157. Amendments should be presented in proper form, and signed by the requisite number of proposers. If, however, the Grand Lodge adopts a resolution with all the formalities necessary to amend its Constitution or By-Laws, or Constitution for Subordinate Lodges, this will operate to legally amend the Constitution or By-Laws in this particular. Substance and legislative intention, and not the form, bring about the change in the laws.

158. Amendments to the Constitution of the Grand Lodge are not operative until approved by the Sovereign Grand Lodge, or the Grand Sire during recess. The Grand Lodge By-Laws do not need approval by the Sovereign Grand Lodge, hence amendments thereto are immediately effective, unless otherwise stated.

159. Disapproval of an amended Constitution by the Sovereign Grand Lodge renders the same inoperative, without further action by the Grand Lodge.

160. Amendments to the By-Laws of a Subordinate Lodge take effect from and after the receipt by the Lodge of the approval by the Committee on By-Laws, except when otherwise provided by the By-Laws.

161. Amendments to By-Laws must be properly authenticated in duplicate by the Noble Grand and Secretary, and attested by the seal of the Lodge, and addressed to the "Committee on By-Laws," care of the Grand Secretary, for approval by the Committee. Two copies of the entire By-Laws must accompany the amendments.

162. A pending amendment to the By-Laws of a Subordinate Lodge cannot be amended when under consideration, except it be a mere verbal alteration that does not change the character of the original proposition.

163. Where a By-Law reads as follows: "No motion to repeal or amend these By-Laws or any part of them shall be put to a vote until the same have been read in the Lodge at three consecutive regular meetings," it is not in order to move at a third reading to amend the motion, without any notice being given of such amendment.

164. When the Lodge has under consideration an entire new code of By-Laws, prepared and reported by a committee of the Lodge, the same order of procedure, amendment and vote on final adoption may be pursued as is the practice in the Grand Lodge.

AMENDMENTS.

165. By-Laws cannot be amended, modified or suspended by resolution or by a simple motion. They can only be amended, modified or repealed in the way designated by the code itself. They are not intended to be so ephemeral as to be suspended or obliterated on a motion made and adopted on the same night of meeting.

166. A subordinate by vote adopted an amendment to a By-Law and at the next meeting a motion was made to reconsider the vote. The law provided that no amendment to the By-Law should be made, unless written notice thereof should be given at the regular meeting previous to its being acted on. There was also a rule of order that no motion for a reconsideration should be received, unless made within two meetings after taking the vote upon any question. Held that there was no conflict in these provisions of law. Until the expiration of the time for a reconsideration under the rules of order, legislation on the subject was not concluded, and the subordinate still had control of it. The reconsideration of the vote was not equivalent to an amendment to the By-Laws.

167. Amendments to the By-Laws may be considered by the Lodge in committee of the whole, and the Chairman of the By-Law Committee may act as Noble Grand during the consideration of the By-Laws, if the brother is a Past Grand, and the Noble Grand is absent.

168. A Lodge cannot provide by a resolution that a designated law shall not be changed for a given period. A member cannot, by the adoption of such a resolution, be deprived of his right to propose amendments to the By-Laws.

ANCIENT ODD FELLOW.

169. An Ancient Odd Fellow is one who has been regularly initiated into the Order and retired therefrom in good standing, either by taking his withdrawal card, and allowing it to become out of date, or by resignation. If done by resignation, he at once becomes an Ancient Odd Fellow, and if by taking a withdrawal card, he becomes so at the expiration of one year from the date of his card. The word ancient, as used here, does not literally mean that the brother has had long membership in the Order, or is himself aged. For example, a brother may resign his membership on the night of his initiation, and he at once becomes an Ancient Odd Fellow. While if, at the same time, another brother, who has belonged to the Order for twenty-five years or more, resigns, they are both on the same level as regards standing, and classed as Ancient Odd Fellows, notwithstanding the disparity in the length of their membership.

170. To become an Ancient Odd Fellow one must have retired from the Order in good standing; therefore, the holder of a dismissal certificate cannot enjoy this privilege.

171. A member of a defunct Lodge, in good standing at the time the Lodge surrenders, by recent legislation of the Sovereign Grand Lodge, may, within a year from the date of surrender of his Lodge, obtain from the Grand Secretary or Grand Lodge of the jurisdiction where the defunct Lodge was located, a withdrawal card which, at the expiration of one year from the date of surrender, will also make him an Ancient Odd Fellow.

172. An Ancient Odd Fellow is, therefore, one who, having been regularly initiated, has, in good standing, honorably and entirely severed his connection with the Order, and who, upon the proper proof of these facts, can be re-admitted to the Order without initiation.

173. An Ancient Odd Fellow has no rights of visitation whatsoever, nor can an elective grand officer introduce him into a Subordinate Lodge.

174. A Lodge cannot in a body, as a Lodge, attend the funeral of a deceased Ancient Odd Fellow and conduct the services according to the Ritual of the Order.

ANCIENT ODD FELLOW.

175. In the admission of an Ancient Odd Fellow to membership, the same course is to be pursued as to proposition, reference to a Committee of Investigation, report of said committee and balloting, as in the case of a candidate for admission on visiting card or dismissal certificate. When elected, he has only to sign the Constitution, or authorize it to be done, and pay such admission fee as the By-Laws of the Lodge shall prescribe; he then becomes a member of the Order, of the same rank as he held originally, and if a Past Grand, upon the certificate of the Lodge receiving him he will be recognized as such by the Grand Lodge.

176. A brother who has withdrawn from the Order by written resignation, or who has lost his withdrawal card and has no duplicate, and who cannot pass a satisfactory examination, nor furnish satisfactory evidence of former connection with the Order, can only be re-admitted by initiation.

177. "Satisfactory evidence of former connection with the Order," within the meaning of the law, must come from the Lodge of which the brother was formerly a member, or, in the event of such evidence being inaccessible, by reason of its being defunct or otherwise, then from the Grand Body under whose jurisdiction the subordinate existed. And should neither of these be accessible or obtainable, then the applicant may make application for admission into the Order by initiation.

178. An Ancient Odd Fellow who is a saloon keeper, bartender or professional gambler, cannot be admitted to membership in a Lodge, even though this has been his occupation continuously for a period extending to a time before the adoption of the amendment to the Sovereign Grand Lodge Constitution.

179. Resignation severs membership instantly and totally, a dismissal certificate is simply evidence of resignation, the former in good standing, the latter in bad financial standing. Holders of unexpired Withdrawal Cards, although not members, in the strict sense of that term, are, to a certain extent, subject to the jurisdiction of the Order, as these cards may be annuled within one year from their date, but after that they have no force or validity and cannot be annuled. Hence, it follows that holders of expired cards are not members of the Order, nor are they brother Odd Fellows, and the same is true of Dismissal Certificates.

180. The disabilities of an Ancient Odd Fellow are removed when he is re-admitted to membership in a Lodge, and he is then entitled to all the privileges and benefits that his membership, contributing or non-beneficial, confers.

ANNIVERSARY.

181. The twenty-sixth day of April is established as the Anniversary of the Order, and subordinates are requested to observe the day in some appropriate manner. To hold a public demonstration of any kind will, nevertheless, require the permission and approval of the Grand Master to be first obtained, and the promise of the Lodge that no intoxicating beverages of any kind shall be offered to the members or guests present on the occasion.

182. There is no express law of the Order permitting the celebration of the anniversary of the Order on Any other day than April 26th, and it has been held that a Lodge could expend money for such celebration only on that day, but the reverence with which Sunday is generally regarded, and the existence of a law which does not permit subordinate organizations of the Order to meet on Sunday, for other than funeral or memorial purposes, would, when April 26th falls upon Sunday (and in analogy to the practice followed in the celebration of civic holidays), warrant the Grand Sire in permitting such celebration to be held upon the preceding, or upon the following day.

183. It is not legal or permissible for a Lodge of the I. O. O. F., when the Anniversary of the Order falls on a week-day, to defer the celebration to the following Sunday, and hold a meeting, private or public, for such celebration on such Sunday.

ANNIVERSARY.

184. A Subordinate Lodge may expend a reasonable amount of its funds to defray the necessary expenses incident to the celebration of the Anniversary of the Order, in such manner as shall tend to promulgate and illustrate the principle of the Order, or to elevate it or dignify it in the eyes of the community, such as hiring halls, paying for printing, procuring orators, and for music to accompany a parade, or as an attractive feature in connection with and as part of the prescribed ceremonies, but no expenditure can legally be made for those things which contribute merely to the pleasure or gratification of the individual members, such as parties, balls, picnics, excursions, banquets and the like, and within these limits the question is one for the subordinate and the Grand Lodge.

185. The appropriation of funds for any purpose in connection with the celebration of a Lodge's own anniversary is not proper or legitimate.

186. The permission given Lodges to expend their funds in a reasonable amount for the celebration of the Anniversary of the Order, only holds good for proper celebrations on that day, not for another occasion, on another day, even if called an anniversary celebration, and claimed to be a postponement or a deferment of the regular date.

ANNUAL TRAVELING PASSWORD.

187. The Annual Traveling Pass Word is intended primarily for the protection of the Order, and is one of the tests by which traveling brothers are tried.

188. It cannot be translated into any other language, or spoken other than in the English Language. The different nations must learn to give it the one universal sound as nearly as possible, so that the sound of the word will be as familiar to the ear as the signs are to the eye or the grip to the touch of the hand, to the end that an Odd Fellow of any country may be known and recognized in any part of the habitable globe as a brother.

189. It goes into effect January 1st in each year; it is selected by the Grand Sire, and communicated to the Grand Master through the proper channels. The Grand Master can only communicate the A. T. P. W. in the discharge of his official duties and to the officers entitled to receive it.

190. It is communicated to the D. D. G. M.'s and the Special Deputies of the Grand Master at the time of installation of officers in the Subordinate Lodges, and by them privately put in possession of the Noble Grand and Vice Grand at the time of their installation, so that they may be qualified either to give or receive it.

191. The By-Laws and general legislation of the Sovereign Grand Lodge clearly contemplate that the Noble Grand , or presiding officer of a Lodge (other than the R. S. of N. G. temporarily occupying the chair), should communicate the annual traveling pass-word to visitors. There is no law that authorizes him to delegate that privilege.

192. If a brother who is entitled to the A. T. P. W. be absent from the location of his Lodge, so that he cannot obtain the A. T. P. W. from the officers of his Lodge, or has forgotten the A. T. P. W., it shall be the duty of the proper officers to send him a letter authorizing any Noble Grand to communicate the same to him. It is also legal to give the brother this order for the A. T. P. W. although he may be present in the Lodge-room when the card or official certificate authorizing him to use the A. T. P. W. in visiting is granted. It shall be the duty of the proper officers granting such card, to send therewith a letter in the following form:

.....Lodge, No.....

of, State of,

..... Day of 19..

To the Noble Grand of any Lodge of the I. O. O. F.:

The bearer, Brother, holding a legal card from this....., dated this.....day of..... 19.., for the period

ANNUAL TRAVELING PASSWORD.

of months, is entitled to the A. T. P. W. for the current year, which please communicate to him, after due examination, whereupon you will retain or destroy this letter.

[Seal.], N. G.

Attest:, Secretary.

193. An official receipt showing dues paid in advance of its presentation, or an unexpired visiting card, are of themselves proper and sufficient orders for the A. T. P. W., upon the presentation of which, and after satisfactory identification and proper examination, the Noble Grand is authorized to communicate the same. The same result would be obtained should the visiting brother present both an unexpired visiting card and an official certificate; and the A. T. P. W. will be communicated, even though the holder may have signed the visiting card or certificate prior to its presentation to the Noble Grand.

194. The Annual Traveling Pass Word is to be communicated only to a member receiving a Visiting Card, or to a brother receiving an Official Certificate showing dues paid in advance, or to a brother receiving a Withdrawal Card, with the single exception that it must not be communicated to an insane brother. It cannot subsequently be communicated to these brothers, whether on order or not, unless the card or Dismissal Certificate is unexpired for visitation.

195. A Visiting Card or an Official Certificate is unexpired and in force for the purposes of visitation as long as it evidences the fact that the brother's dues are paid to a date later than when the same is presented for visitation.

196. An unexpired withdrawal card is not, of itself, sufficient authority to any Noble Grand to communicate the A. T. P. W. to a brother holding the withdrawal card to date, to enable him to visit a Subordinate Lodge. If the brother is without the pass-word he must have an order in the form above stated, or he cannot procure the same, except from the Noble Grand of his own Lodge.

197. When a withdrawal card has been granted to a member and the recipient forgets the A. T. P. W., the Noble Grand of the Lodge from which the brother withdrew, not only has the authority to again communicate the A. T. P. W., on the presentation of the card within one year from the date of its issue, but it is his duty to do so.

198. The holder of a dismissal certificate is not entitled to the A. T. P. W., nor can he visit a Lodge by virtue of such certificate.

199. The Noble Grand communicates the A. T. P. W. personally and privately to the brother or visitor entitled to the same; he cannot delegate the duty to a committee. When a brother offers to visit a Subordinate Lodge on a visiting card, unexpired withdrawal card, or official certificate showing dues paid in advance of the date of visitation, he may give the A. T. P. W. of the year in which the card or official certificate was issued and bears date, although another A. T. P. W. is now in force. But where the Noble Grand of a Lodge is asked to give the A. T. P. W. to a holder of a visiting card or official certificate, still in date for visiting, but issued during the preceding calendar, he will, upon proper identification and examination, give the brother the A. T. P. W. current at the time of presentation, provided, that the card or certificate covers a period which extends to a later date.

200. A brother holding a withdrawal card from one jurisdiction is entitled to the annual traveling pass word in use at the time the card was issued and bears date, and retains the right to visit in another jurisdiction with the same password for a year.

201. A non-contributing member is entitled to a special form of visiting card, which entitles him to the Annual Traveling Password, upon proving identity, in the same manner as is prescribed by the laws of the Order for contributing members.

ANNUAL TRAVELING PASSWORD.

202. A member of a suspended or expelled Lodge has not the right to visit on an unexpired visiting card or official certificate showing dues paid in advance of the date of presentation, granted prior to such suspension or expulsion, as said Visiting Card or Official Certificate speak in the present of the connection of the bearer with the Order, whose right undoubtedly expires with the Lodge, and therefore the Noble Grand of any Lodge will not communicate the A. T. P. W. on presentation of a card or Official Certificate issued by a suspended or expelled Lodge.

203. The N. G. cannot give the A. T. P. W. to a brother after the date to which his dues have been paid has expired. The right of visitation on the card or certificate ceases with the date to which the dues are paid in advance.

204. The legislation authorizing the official certificate and making it authority for admission of its holder to Lodges, Encampments and Rebekah Lodges is limited to the continent of North America, and hence such official certificate would not be authority for any Lodge not on the continent of North America to communicate the A. T. P. W. thereon.

205. The holder of a properly authenticated visiting card, the date of which extends to a date later than when the same is presented, and upon proper identification, would, in the same manner as is now practised upon the continent of North America, be entitled to have communicated to him the A. T. P. W. by the presiding officer of any Lodge, irrespective of the location of the Lodge to which it is presented.

ANNUITY.

206. It is not legal to provide by law for the payment of an annuity to the widow and orphan children, or either of them, of a brother who died in good standing, the annuity to run for life or a period of years, as the case may be.

APPEALS.

(a). Effect of an Appeal
(b). From Noble Grand.
(c). From Grand Master.
(d). From Lodge.
(e). To Grand Master.
(f). To Grand Lodge.
(g). To Sovereign Grand Lodge.
(g). Who May Appeal.
(h). Status of Appellants.
(i). Time Limit for Appeals.
(j). Filing of Appeal.
(k). Grounds for Appeal.
(l). Hearing on Appeal.
(m). Final Adjudication.
(n). Approval of Grand Master.
(o). Reargument.
(p). Petitions to Rehear.
(q). What Law Governs.
(r). Appeal Districts.
(s). Jurisdiction on Appeal.
(t). Memorial Petition.

207. In all cases of appeal, not specially provided for under the appeal procedure for charges and benefits, or otherwise regulated by local law, the general law requires that the appellant must set forth in writing the errors, irregularities, illegalities, unfairness or injustice against which he appeals, and which forms the ground of appeal; and the Lodge should enter the appeal on its minutes, and have a correct transcript forwarded to the superior tribunal for review.

208. The duties of the appellant and of the Lodge with respect to appeals concerning regular trials for charges or benefits, will be determined by the local law entirely.

(a). Effect of an Appeal.

209. The rights of the parties, appellant and appellee, in any controversy within the provisions of the trial procedure for charges or benefits are to be determined according to the Constitution and By Laws of the Grand Lodge and the Constitutions for Subordinate Lodges.

APPEALS—Effect of an Appeal.

210. Charges were brought against a brother in his Lodge for conduct unbecoming an Odd Fellow After due trial, according to law, he was found guilty and immediately declared suspended for twelve months. The defendant immediately appealed to the Grand Lodge. Held that the question whether an appeal by a brother from the action of his Subordinate Lodge shall operate as a supercedeas and suspend all action until the appeal is determined, is one to be settled by local law entirely.

211. As to matters arising in a Subordinate Lodge outside of this procedure, an appeal from the action of the Lodge suspends all further proceedings in reference to the subject under consideration until the decision of the Grand Master or Grand Lodge is had, except such actions as are required by law and which will not change the status of the controversy; for example, the installation of an officer pending an appeal as to his eligibility, the decision of the Lodge having been in his favor.

212. Appeals from the presiding officer on a parliamentary ruling, whether from the N. G. to his Lodge, or from the Grand Master to the Grand Lodge, stay all proceedings upon the main question then under consideration until the appeal is disposed of by the body.

213. Questions of law must go from Subordinate Lodges to the Grand Master. After the Grand Master has decided a question for a Subordinate Lodge, said Lodge, if not satisfied, can only seek redress by an appeal, properly presented to the Grand Lodge, and said Lodge must abide by the decision of the Grand Master until said decision is reversed by the Grand Lodge.

214. The decision of the Grand Lodge upon any subject must stand until reversed; on appeal, by the Sovereign Grand Lodge. For example, when the Grand Lodge reverses the decision of a Lodge expelling a member and directs his reinstatement, and an appeal is taken by the Lodge to the S. G. L., the brother must be reinstated before the appeal is taken.

(b). Appeals from Noble Grand.

215. When an appeal from the decision of the Noble Grand upon a By Law is before the Lodge, the Vice Grand during the pending of an appeal, is virtually the presiding officer, and as such must decide all points of order that may be raised, and comply with the requisitions of the first Rule of Order for Subordinate Lodges. An appeal from the decision of the Noble Grand must be proceeded with and settled before other business can be transacted.

216. A decision rendered by the Noble Grand upon the meaning of a part of the subordinate Constitution, or the By Laws of the Lodge, or, in fact, upon any question arising in the Lodge, is subject to be appealed from to the Lodge

217. A Subordinate Lodge, however, has no right to pass upon and decide any question in reference to the work of the Order, written or unwritten. The ruling of the N. G. on the subject must be followed, until reversed by the Grand Master.

218. Should, for example, a motion be made to elect a member in violation of the Constitution it is the duty of the Noble Grand to declare the same out of order, and should such a motion prevail it is his duty to declare the same void; and in case the Lodge reverses his decision, on an appeal therefrom it is his duty to appeal to the Grand Master.

219. When the Vice Grand appeals from the decision of the Noble Grand, he must call some qualified brother to fill his position while the appeal is pending.

APPEALS.

(c). Appeals from Grand Master.

220. The Grand Master has no right to refuse to entertain appeals from his decision made during the recess of the Grand Lodge, even though, in his judgment an adverse decision might violate the Constitution. The Grand Lodge alone can claim to be the supreme tribunal; to it he is indebted for his position, and from and through it to the S. G. L.

221. The decisions of the Grand Master, made during the recess of the Grand Lodge, are in full force until reversed by the Grand Lodge, and when the vote on the resolution that a certain Grand Master's decision be sustained, is a tie vote, the result is not to be regarded as a reversal of his decision, but as equivalent to no expression on the matter in issue, as it is an acknowledged legal principle of the Order that decisions of Grand Masters are in full force until reversed by their Grand Lodges.

222. An appeal from a decision of the Grand Master, made during the recess of the Grand Lodge, lies to the next stated session of the Grand Lodge.

223. A Grand Lodge should not reverse a decision of the Grand Master upon facts not before him, but be confined to the record as reviewed by him.

224. An appeal from a parliamentary ruling lies only to the Grand Lodge then in session, and not to the Sovereign Grand Lodge, and such ruling of a presiding officer cannot be reviewed by the Sovereign Grand Lodge, unless it has been passed upon by the Grand Lodge.

225. When an appeal was made from the decision of the Grand Master on a Constitutional question rendered by him on a matter then before the Grand Lodge in session, and he refused to entertain the appeal for the reason "that under the conditions by which a Grand Master holds his office, he is bound to sustain the Constitution as he finds it, and he therefore declines to entertain an appeal that might violate that instrument," it was held by the Sovereign Grand Lodge that he should have allowed the appeal, and if unconstitutional action had resulted, the S. G. L. would have applied the corrective.

226. Whilst acting as presiding officer of his Grand Lodge, the body over which he presides, and not himself, must be the final judge. If he had the right to decline to entertain an appeal which, in his judgment might violate the Constitution, he may refuse any question which may have a Constitutional bearing.

(d) Appeals from a Lodge.

227. Appeals from the action of Subordinate Lodges divide themselves into two classes, namely, those arising from the course of the trial procedure for charges or for the determination of contested claims for benefits, and those arising in the ordinary course of Lodge business.

228. Neither the Grand Master nor the Grand Lodge can entertain appeals which come within the scope of the appeal procedure, except in the manner specifically pointed out in the Constitution and By-Laws of the Grand Lodge and the Constitution for Subordinate Lodges. For example, a Grand Master has not the right to set aside the action of a Lodge and order a new trial.

229. An appeal for benefits or on charges cannot be taken except in the manner presented in the laws of this Grand Lodge, and any attempt by the Grand Master or by the Grand Lodge to exercise jurisdiction on appeal in such cases except in a statutory manner is absolutely illegal and void.

230. It is however, the duty of the Grand Master when a Lodge refuses to proceed according to law to the final determination of a trial for charges, or a claim for benefits, or to perfect an appeal to the Grand Lodge according to law, where complaint thereof is presented to him by a party in interest, to require the Lodge to do its duty in that regard.

APPEALS—Appeals from a Lodge.

231. Where, pursuant to instructions from the Grand Lodge, a trial committee is appointed to investigate the conduct of a brother on charges, and reports to the Lodge that the charges are not sustained, and the report is adopted by the Lodge, the Grand Master cannot legally set aside the action of the Lodge and order it to prefer new charges.

232. Where charges are preferred against a brother, the trial committee report that the brother has been tried and acquitted for the same offense, and the Lodge adopts this report, the Grand Master cannot legally set aside this action of the Lodge and order the Lodge to try the brother on new charges. The Grand Master cannot legally set aside the judgment of a Lodge in the trial of a brother for irregularities, and order another trial. The only way to correct irregularities and errors committed by a Lodge in trying a brother is to appeal to the Grand Lodge.

233. An appeal to the Grand Lodge does not lay upon decisions of incidental questions during a trial in a subordinate. They may form exceptions and be the basis of an appeal after the final decisions of the entire case by the Lodge.

234. Any action of the Lodge other than those in connection with the trial procedure as above mentioned may at once be appealed to, and be reviewed by the Grand Master. Whenever in the judgment of the Noble Grand any act of the Lodge is contrary to the fundamental law, it is his duty to promptly appeal to the Grand Master and obtain his decision; or any member affected may appeal, or any member of the Lodge in good standing may appeal.

235. In the event of a Lodge making a decision it may afterwards (or before making a decision), refer the question to the Grand Master for his decision.

236. The Grand Master has authority to issue his mandate to a Lodge directing it to set aside a decision of the Lodge when, in his opinion, it is contrary to law; and can punish the Lodge for persistent disobedience of his mandate, or for acting in direct opposition to and contravention of it.

237. A member of a Lodge who is subject to an assessment that may be levied by his Lodge to pay funeral benefits is so "affected personally as to give him the right to appeal to the Grand Lodge or to the Grand Master during recess," when the Lodge, upon the death of a member in good standing decides that, for certain reasons, no funeral benefit is due and therefore no assessment will be levied upon the membership; as he is interested in the proper construction of any law of his Lodge, and this decision was liable to affect his family at his death.

238. The appeal from the action of the Lodge on charges or claims for benefits must be presented to the Lodge. Proof of its having been presented to the Lodge must be sent to the Grand Master, with date of service.

(e), Appeals to the Grand Master.

239. Excepting, of course, the trial procedure for charges or benefits, appeals may be made to the Grand Master for any act or decision of a Subordinate Lodge. The Grand Master, as the executive officer of the Grand Lodge, must see that the laws, practices and usages of the Order are observed throughout this jurisdiction. In the correction of errors and irregularities and in maintaining the usages and laws he is almost entirely dependent upon appeals for his intervention.

240. The interpretations of the Constitution and laws of the Order in this jurisdiction during the recess of the Grand Lodge is vested in the Grand Master, subject to a review by the Grand Lodge at its session following. It is his duty to administer the local law according to his conscientious interpretation thereof.

APPEALS—Appeals to the Grand Master.

241. The Grand Master has no right to refuse to decide an appeal properly presented, or to refer the Lodge to any other higher authority. He must decide the question so that his decision may be subject for review, and thus bring the matter properly before the Grand Lodge at its next stated meeting.

(f). Appeals to Grand Lodge.

242. The Grand Lodge in session exercises no appellant jurisdiction under the appeal procedure for charges or benefits, unless the Grand Master and the Committee on the State of the Order fail to agree, except for appeals on the ground of excessive punishment alone.

243. The Grand Master's decisions are reported to the Grand Lodge at annual session, which bring them up for review, at which time the Lodge can be heard without having taken an appeal.

244. A Lodge may take an appeal from the mandate of the Grand Master, and this brings the entire controversy before the Grand Lodge; the Lodge, however, must obey the mandate before it can appeal.

245. In all cases the decisions of the Grand Master are in force until reversed by a majority vote of the Grand Lodge, and the decisions of the Grand Lodge are final and conclusive until reversed by the Sovereign Grand Lodge on a direct appeal therefrom.

(g). Appeals to the Sovereign Grand Lodge.

246. Any final action by the Grand Lodge is subject to review on appeal to the Sovereign Grand Lodge.

247. The Sovereign Grand Lodge will not entertain an appeal unless the appeal papers on their face, if a Lodge is an appellant, or the appellant is not a member of the Grand Lodge, show that the Grand Lodge has granted permission to appeal, as required by law, nor unless the statement of facts have been settled by the Grand Lodge and certified by its executive officers.

248. The rule is, that consent of the Grand Body is necessary before a Subordinate can appeal, except that an expelled Subordinate which has surrendered its effects may appeal without consent. The same section and also the standing resolutions provide that members of a Subordinate Grand Body may appeal without consent.

249. In all cases where consent of the Grand Body is required to appeal, such consent must be obtained before the appeal is taken.

250. The Grand Lodge, in considering a request for permission to appeal to the Sovereign Grand Lodge should be governed by the true spirit of fraternity.

251. Should it appear that the Grand Lodge has not so acted when it refused to grant permission for the appeal, and the aggrieved party has brought the matter to the attention of the S. G. L. by a petition for redress, that body may hear and determine the case, and if its judgment so concludes, may reverse the Grand Lodge.

252. Consent is to be freely given or withheld, and direction is inconsistent therewith; therefore the S. G. L. will not direct a Grand Lodge to consent to an appeal.

253. A member or members of a Grand Body may appeal to the S. G. L. without consent, the only condition being that the decision of the Grand Body shall stand as final and conclusive until reversed by the S. G. L.

254. This means that every Past Grand who has been admitted to membership in the Grand Lodge has also the right to appeal without the consent of the Grand Lodge in any matter wherein he is personally interested.

255. The proper construction of the clause of the Constitution of the S. G. L. which reads thus: "Appeals may also be heard from a member or

APPEALS—Appeals to the Sovereign Grand Lodge.

members of a State, District Territorial Grand Lodge or Grand Encampment from a decision thereof," confines such right of appeal to questions affecting the general interests of the entire Order, or to the general interests of the Order in the particular jurisdiction from which the appeal comes, and does not extend it to questions of grievances of individual members or lodges.

256. A brother who is not a member of the Grand Lodge cannot appeal to the Sovereign Grand Lodge without the consent of the Grand Lodge.

257. An appeal may be taken from the decision of the Grand Lodge on a hypothetical case, for the reason that it is a decision and a rule of law established by the Grand Lodge for the guidance of its subordinates, and one which it is their duty to obey; and the Constitution of the Sovereign Grand Lodge allows an appeal by members of a State Grand Lodge from the decisions thereof.

258. Mere academic questions are not the proper subjects for an appeal to the S. G. L. Where two reports were submitted upon an appeal to a Grand Lodge. Each agreed as to the result, but differed in the reasons for their conclusions. On appeal, held that as both committees agree as to the result, there was no substantive proposition presented by the appeal, and the S. G. L. refused to establish the precedent of rendering a formal decision on the question thus sought to be made, it being a mere incident of the real question at issue and decided by the Grand Lodge.

259. In appeals to Sovereign Grand Lodge, growing out of the trial procedure, the statement of facts as adopted by the Committee on the State of the Order and approved by the Grand Master, finally settles all the questions of fact, so that the duty of the Sovereign Grand Lodge shall be to determine the laws applicable to the facts thus certified, as required by the law of the Sovereign Grand Lodge, which provides as follows: "In all cases of appeal which may hereafter be presented to this Grand Lodge, the Subordinate Grand Body from whose action any appeal is taken, shall be required to settle definitely all questions of fact in such appeal and shall duly certify the same under its seal and the signature of the executive officer and Grand Scribe or Secretary, as the case may be, so that the sole and only business of this Grand Lodge shall be to determine the law applicable to the facts thus certified. No appeal will be entertained unless this resolution be complied with."

260. In all appeals the Grand Lodge may appoint a committee to prepare a statement of facts governing the appeal, or it may be done by the Board of Grand Officers, at the direction of the Grand Lodge, and such a statement, properly certified, will be considered by the Sovereign Grand Lodge.

261. In any case where an appeal is taken from the decision of any Grand Body, and such Grand Body shall fail to settle the questions of fact, or the executive officer and Grand Scribe or Secretary shall neglect or refuse to certify them as required by law, such neglect of failure to certify shall be deemed sufficient reason to reverse the decision of such Grand Body, unless some satisfactory reason shall be given for such neglect or refusal.

262. The appeal may be referred back for the purpose of having the facts definitely settled and a duly certified statement thereof supplied.

263. In all cases of appeal the appellant at the time the appeal is filed shall notify the appellee of such filing, and thereafter either party filing any argument or brief shall serve a copy on the opposite party.

264. When a Grand Lodge is appellee such service shall be by sending the copy to the Grand Secretary of such Lodge.

265. The S. G. L. will not entertain an appeal unless the appeal papers on their face show that the Grand Body from which the appeal is taken has granted permission to appeal, when required by law, nor unless the statement of facts has been settled by the Grand Body and certified by its executive officers.

APPEALS—Appeals to the Sovereign Grand Lodge.

266. All appeal papers brought before the Sovereign Grand Lodge must be furnished by the appealing party, printed in pamphlet form on a page of the same size as that of the printed Journal of Proceedings of the Grand Lodge; and, in default thereof, the respective appeal shall be liable to be referred back for informality. Appellant must furnish two hundred and fifty copies of all appeal papers required by the above law.

267. In case of an appeal from the decision of a Grand Lodge, with its consent the appellant should bring his appeal and record to the session of the S. G. L. next after the granting of it, and when the appellant has failed to do this, it is for the Grand Body to determine in the first instance whether they will renew the permission to take the appeal, if satisfied that the delay was without fault or negligence.

268. A Grand Master cannot grant an appeal from the action of his Grand Lodge.

269. The record in all cases of appeals must be forwarded to the Grand Secretary of the Sovereign Grand Lodge so as to reach him by Wednesday preceding the second Monday in September of each year, so that they may be furnished the Committee on Appeals by the morning of the Wednesday following, and the briefs of both appellants and appellees, if printed at all, shall be printed separate and apart from the record.

270. It is within the jurisdiction of the S. G. L., upon appeal, to weigh the evidence and decide upon its preponderance in order to do substantial justice, and this is especially so where the exceeding disparity of the evidence is so great as to place it beyond the point of conflicting testimony.

271. The Grand Lodge of a jurisdiction sustained the conviction of a member of a subordinate who was expelled, and on his appeal to the S. G. L. the conviction was reversed on the ground that the sentence was too severe for the offense, and that as to some of the specifications there was not sufficient evidence to convict. In view of this and the fact that the brother had been already severely punished, the Grand Lodge was directed to require the subordinate to reinstate the member.

272. When the specifications of charges preferred against a brother do not set forth substantial facts showing any offense, but are vague and indefinite, being mere recitals of conclusions, the S. G. L. will, upon appeal from a conviction thereunder, dismiss the same without prejudice.

273. The record on appeal to the S. G. L. must contain certified copies of the laws of the jurisdiction from which the appeal is taken, in force at the time the controversy arose, including the Constitution and laws for the government of Subordinate Lodges and the By-Laws of the particular Subordinate Lodge.

(g). Who May Appeal.

274. The right of appeal is sacred, and may be made under any and all circumstances, within the mandates of the law applying to the case.

275. A statement as to who may be appellant from the action of the Grand Lodge to the Sovereign Grand Lodge, will be found set forth fully in preceding sub-heading, entitled "Appeals to the Sovereign Grand Lodge."

276. A brother may take an appeal from the action of his Lodge which in any way affects him personally or interests him as possibly contrary to law. For example, where a Lodge made a decision that under certain circumstances no funeral benefits were payable on account of the death of a member in good standing, and thereupon a brother not directly interested in the controversy took an appeal to the Grand Master, which he subsequently pursued until it reached the Sovereign Grand Lodge. Held that the brother who took the appeal from the action of his Lodge, was entitled to do so. He was subject to the assessment provided in the By-Law. He was interested in the proper construction of any law of his Lodge. This decision was liable to affect his family, at his death.

APPEALS—Who May Appeal.

277. A member in arrears for dues so as not to be entitled to benefits or to vote, cannot present an appeal in a matter that does not affect him personally.

278. A member not in good standing cannot appeal from the decision of the Grand Master on questions that are not a personal matter. When, by our local law, he is in arrears to such an extent as not to be permitted to vote and not entitled to benefits, a member so in arrears for dues could not prosecute an appeal.

279. The general law provides that on the refusal of a Lodge to grant a brother a withdrawal card, the member applying for the same shall have the right to appeal to the Grand Lodge of his jurisdiction.

280. If a Lodge deny a visiting or any kind of a card to a member not disqualified, he may have redress upon appeal to the Grand Lodge.

281. Under the trial and appeal procedure for charges, the accused, in case of conviction, may appeal, or the prosecutor or any member of the Lodge conducting a trial may appeal from the decision of the Lodge acquitting the accused.

282. Under the trial and appeal procedure for benefits, the brother claiming the benefits, or any member of the Lodge, may appeal.

283. Where a Lodge is an appellant it must comply with the mandate of the Grand Master, or the Grand Lodge, as the case may be, or its appeal will be dismissed.

(h). Status of Appellant.

284. The status of a brother pending his appeal to a higher body is determined by the local law of the jurisdiction. Where there is no special regulation on the subject the decision of the Grand Lodge stands until reversed.

285. In this jurisdiction the status of an appellant to the Grand Lodge has been fixed by the appeal procedure as set forth in the By-Laws of the Grand Lodge.

286. An appeal to the S. G. L. gives to the member of the Order under penalty who is interested therein no additional privileges and no different position from those he enjoys and occupies under the laws of his Grand Lodge.

287. It is the duty of a subordinate to obey the decisions of its Grand Lodge, which are final and conclusive until reversed by the S. G. L. upon proper appeal thereto. Pending such appeal, the Subordinate Lodge is not entitled to any privileges other than those accorded to it by its Grand Lodge, which may enforce its decisions by demanding the charter and effects of the subordinate for non-compliance with the decision appealed from.

288. Where the Constitution of a Grand Lodge provided, "that in all cases of appeal to it the fact of such appeal shall act as a stay of proceedings in cases of a suspended brother," a suspended brother who has taken an appeal to the Grand Lodge has the right to attend the sessions of his subordinate Lodge pending his appeal. During that time he is bound to pay his dues to the Lodge as though the proceedings were not pending, and if he fails to keep himself beneficial he will not be entitled to benefits any more than as though the proceedings were not pending.

289. In the absence of any local law providing for a stay of proceedings pending an appeal, a subordinate is bound to obey the mandate of its superior, the State Grand Lodge, and pay benefits in accordance with its decision on payment being demanded, and the Grand Lodge may undoubtedly legally provide for the payment of the amount due into the Grand Lodge to abide the decision of the Committee on the State of the Order or of the S. G. L.

290. A brother cannot take a withdrawal card pending an appeal to the Grand Lodge upon charges preferred against him in his own Lodge.

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(i). Time Limit for Appeals.

291. An appeal by a party in interest from the action of a Lodge concerning its ordinary business, and not in any way relating to the appeal procedure for charges and benefits must be taken without delay, as it is too late to effect a stay of proceedings after the action of the Lodge has been carried into effect.

292. When the By-Laws of a Grand Lodge limit the period within which appeals from the action of its subordinates must be taken, such Grand Lodge cannot disregard its own laws or suspend them, and entertain appeals after such period has expired.

293. When the Constitution or By-Laws of a subordinate require notice of an appeal from the action of the Lodge to be given within a certain time, upon failure to do so, the appeal will be dismissed.

294. When by the local laws appeals are required to be made within a limited time, and that time is suffered to pass without appeal, the right of appeal is gone and cannot be resuscitated by a revival of the claim or demand and a second refusal or denial of the demand by the Lodge, the second denial being nothing more than a reiteration of the former decision, from which, if at all, the appeal should have been taken.

295. The direction of the Grand Lodge to the Committee on the State of the Order or to an Appeal Committee to proceed and try a case appealed to it on the merits in effect affirms the decisions of the committee that the appeal to it was in time, and after a trial, in accordance with such direction, and the acquittal of the accused, it is too late to raise the question that said appeal was not in time.

296. An appeal made in time, but subsequently voluntarily withdrawn, cannot be renewed after the period fixed by law within which appeals can be made; otherwise it would be impossible for Grand Bodies and members or Lodges to adjudicate differences or have them settled. All courts recognize this very essential and sane rule in the disposition of business, and as a salutory one for the protection of our citizenship from annoying, expensive and oftentimes useless litigation.

297. In a certain case the secretary gave verbal notice of a refusal to pay benefits to the counsel of the claimant, after hearing on the report of a commissioner, and at the same time handed him a copy of the Constitution, which contained the provision that thirty days were allowed within which to appeal from the action of the Lodge. The counsel replied that he did not care anything about a notice, as he knew what the action of the Lodge would be. After the expiration of thirty days an appeal was taken. Held that the appeal was not taken within the prescribed time; that the counsel for the claimant by his action had induced the secretary to neglect to serve written notice, and that it amounted to a waiver of notice; that to allow the appeal would be to permit the appellant to take advantage of his own wrong, as the notice required by the Constitution could not be waived, either by the party or his counsel, and that the appeal should be dismissed.

(j). Filing of the Appeal.

298. In all cases where a minority has a right of appeal under the general law of the Order, or under the law of the subordinate jurisdiction, on an appeal from the decision of the Noble Grand to the Lodge, and a vote of the Lodge being had the Noble Grand is sustained, and the subject matter is then decided by the Lodge, and notice of appeal to the Grand Master is given by the minority of the Lodge at the time and afterwards, and within the time fixed by law the appellants present to the Lodge in writing their appeal, with all the facts, exceptions, assignments of errors and reference to the laws and decisions of Grand Bodies of the Order, to sustain such appeal, and said written appeal recites fully all the facts, and the same is read by the secretary (or by consent of the appellant) in open Lodge, and admitted by the

APPEALS—Filing of the Appeal.

Lodge to contain all the facts, the Lodge is bound either to enter the appeal thus presented in full on the minutes, or to make a minute of the fact of the taking of the appeal, and direct the filing of the paper containing the admitted facts, exceptions, &c. And it is the duty of the Lodge in transmitting the appeal to the proper superior tribunal to accompany it with a certified copy of all the proceedings and papers in the case.

299. The time, method and place of filing an appeal under the trial procedure for charges or benefits is regulated entirely by the laws of the jurisdiction.

300. The appeal may be in the following form:

NOTICE AND GROUNDS OF APPEAL FOR CHARGES.

To Lodge, No., I. O. O. F.:

Take notice that the undersigned hereby appeals from the action and judgment of this Lodge in the matter of charges preferred against him by Brother on the following grounds:

First—That the evidence was insufficient to sustain said charges or the report of the committee. (Here state wherein the evidence was insufficient.)

Second—Errors committed at the trial and by the Trial Committee as follows: (Here insert errors complained of.)

Third—The proceedings were irregular and unlawful. (Here state what they were.)

Fourth—The verdict was against the law.

(Here state any special point of law as grounds of appeal.)

Fifth—The punishment is excessive. (Here state wherein the punishment is excessive.)

Dated at

the day of 19...

301. Notice and grounds of appeal for claim for benefits.

.....

To the Grand Master of the Grand Lodge of Pennsylvania, I. O. O. F.:

The undersigned, a member in good standing in Lodge, No. ——, hereby appeals from the action of said Lodge in refusing to pay him benefits from to, being weeks' benefits justly due him by said Lodge.

Having previously filed a notice, a commissioner having been appointed, the testimony taken, and the Lodge still adhering to its decision, the undersigned therefore prays that the Lodge may be directed to send up to you all the papers in the case, in order that the same may be referred to the Committee on Appeals, and a decision as to the justice of the claim be arrived at

A copy of the above was served upon the Lodge on the day of 19...

Attest:

(k). Grounds for Appeal.

302. The By-Laws of the Grand Lodge of Pennsylvania provide that in cases coming under the appeal procedure for charges or benefits, a party aggrieved may file his appeal with the secretary of the lodge, and it is the duty of the Appeal Committee to examine the charges, the proceedings of the Lodge and committee of trial, and the evidence taken, and if certain specified errors appear, direct what disposition shall be made of the case. The Grand Lodge adopted a resolution "that where a member appeals from the action of his Lodge, he shall set forth distinctly the reason or reasons for the appeal, and the committee on appeals shall not consider any other

cause or causes for reversing the action of the Lodge than those distinctly stated in the appeal itself." Held, that this resolution, so far as it required the appellant to state his grounds of appeal, was not in conflict with the By-Laws, and the appellant was bound to conform to it.

303. It was urged that a great many men are so little used to legal forms and generally so ignorant about such matters, that they do not know how to state their reasons in taking an appeal, and therefore should not be required to do more than declare that they appeal, and thus impose upon the intelligent men of the Appeal Committee the laborious research of finding out whether there may be any grounds for the appeal which may be so easily taken. It was held that the intelligence of the Odd Fellows in Pennsylvania was greatly underrated in this, and therefore the S. G. L. would not take that view of the subject, and that the resolution stated in the above paragraph was not inconsistent with the law.

304. The above decisions apply to cases under the appeal procedure for charges or benefits. As to appeals to the Grand Lodge or to the Grand Master other than those above stated, the law is clear that the party aggrieved who appeals must set forth clearly and distinctly the reason or reasons for the appeal, and all the facts necessary to sustain the same. (See Filing of the Appeal.)

(l). Hearing an Appeal.

305. The Grand Lodge has adopted the following resolution: "When a member appeals from the action of his Lodge, he shall set forth distinctly and specifically the reason or reasons for the appeal, and the Committee on Appeals shall confine themselves thereto, and shall not consider any other cause or causes for reversing the action of the Lodge than those distinctly stated in the appeal itself."

306. The Sovereign Grand Lodge says that notwithstanding the resolution, it is the duty of the Committee on appeals in this jurisdiction to examine all appeals referred to them, in whatsoever form they may come, and it is the duty of the Grand Lodge, by its Appeal Committee, to examine all the records and papers which may be sent up, and find out for themselves on what grounds and for what reason the appeal was taken, and therefore, to fulfill the requirements of the laws of the Grand Lodge in a State so large as Pennsylvania it might be a laborious, perhaps impossible duty. From this dilemma it seems that the Grand Lodge of Pennsylvania has sought to relieve its committee by the resolution above stated, which simply requires that a person appealing shall state his ground for the appeal in order that the Grand Lodge, by its committee, may know to what end to examine all the preceding papers and records in the case.

307. The Appeal Committee is bound to find its judgment from the records before it, as, except to prove irregularity, informality or unfairness, no new evidence can be received. Where an appellant sought to sustain his appeal by matters which did not appear in the record of the case, they could not be considered, and the appeal was dismissed.

308. The laws of this jurisdiction are framed with a jealous regard for the protection of the membership against prejudice or injustice on the part of the committee or the Lodge.

309. By the By-Laws of the Grand Lodge, in all cases where there has been a conviction on charges, or a refusal to pay benefits, after a hearing on the report of a commissioner, a member is given an appeal to the District Committee on Appeals, and whenever it appears to that committee that there has been any irregularity or informality in any case of charges, by means whereof the requirements of the law were altered, abridged, changed, or omitted, so that the defendant was thereby deprived of his right to a fair,

APPEALS—Hearing an Appeal.

legal, and impartial trial, it shall on appeal, be just cause for reversal of the judgment of the Lodge, and the committee shall remand the case to the Lodge for a new trial, beginning at the point of the proceedings at which the case was regular and according to the formalities of the law. Any irregularity or informality in a case of claim for benefits, by means whereof the claimant was deprived of a fair, legal, and impartial hearing and disposition of his case, shall have a like effect, but mere informalities of procedure, by which the claimant's rights were not prejudiced, or that did not affect the merits of the case shall be considered as having been cured by the final action of the Lodge. Whenever it appears in any case that the matter in dispute is not such as can be legally taken cognizance of by the Lodge, or where it appears that the appellant has once been acquitted of the charge, or that the verdict or judgment of the Lodge is contrary to the law, or contrary to the weight of the evidence, the committee shall reverse the judgment of the Lodge, and enter of record their judgment in favor of the appellant.

310. Thus the member on trial after his conviction and sentence in his Lodge, has the advantage of another tribunal to review alike the law and the facts; and even if the proceedings have all been conducted in strict accordance with the requirements of the By-Laws, and are formal and regular, yet if, in the judgment of the District Appeal Committee, the testimony or the laws of the Order do not warrant the conviction, a reversal follows, and the appellant is reinstated in his Lodge and reinvested with all the rights and privileges of which he has been deprived, or the benefits are awarded him.

311. The By-Laws of the Grand Lodge also provide that an appeal lies by the aggrieved party to the Committee on the State of the Order from the action of the District Committee on Appeals.

312. The Grand Master is not, as an ex-officio member of all committees, entitled to sit with the Appeal Committee when hearing an appeal. Only those specifically named in the By-Laws of the Grand Lodge can lawfully be present.

313. Members of the Appeal Committee cannot lawfully sit in judgment upon cases in which their Lodges are parties, nor should they act as counsel in cases which would come up for argument before the said board.

314. Where an Appeal Committee, or the Committee on the State of the Order, upon an appeal, adopted a resolution to remand a case back to the Lodge for investigation and further action, and adjourned for about three months, at its next session it has no jurisdiction to take any further action on the appeal, the proceedings begin at the point indicated by the Appeal Committee or Committee on the State of the Order, and if not satisfied with the judgment entered by the Lodge on this second trial, the aggrieved party must appeal.

315. It is improper to require the Past Grands of a Lodge to retire from the session of the Grand Lodge during the discussion of charges against the Lodge brought by appeal.

(m). Final Adjudication.

316. The By-Laws of the Grand Lodge, in effect, say that the decision of a District Appeal Committee, or of the Committee on the State of the Order, unappealed from for more than thirty days from the time of notice shall be a final adjudication of the appeal.

317. Any action by the Grand Lodge, unless expressly stated otherwise, is a final adjudication of an appeal.

318. The adoption of a resolution in the Grand Lodge to postpone indefinitely the report of the Committee on the State of the Order, is in effect a quashing of the appeal, from which action the appellant has the right to appeal to the S. G. L.

APPEALS—Final Adjudication.

319. A decision, by the adjournment of the Sovereign Grand Lodge, becomes a final, conclusive, and binding judgment in favor of the party in whose favor the controversy was settled, which this Sovereign Body at no subsequent session could set aside or annul, except in a case of gross fraud or mistake, which the appellant used due diligence and took the proper steps to have corrected.

320. This rule rests upon the most firmly settled principles of law and justice, and is the only rule by which all courts are compelled to protect themselves and parties from endless litigation.

(n). Approval of Grand Master.

321. The old law in this Grand Jurisdiction stated that the Appeal Committee shall submit its report to the Grand Master, who, if he disapproves, shall submit the same to the Grand Lodge at its next session, with his reasons for not approving it. In a case where the Grand Master did not do this, but referred it back to the committee, with the request to reopen and reconsider the case, which they did, the appellant claimed that she was wronged, and came to the S. G. L. for redress. Held that it does not appear that thereby any injury was done the appellant, for the case finally went to the Grand Lodge, and was there decided upon its merits, just as it would have, had the report been referred there in the first instance by the Grand Master, accompanied, as it would have been, by his reasons for disapproval.

(o). Reargument.

322. To obtain a reargument of an appeal case it must be shown that mistakes prejudicial to the rights of the applicant have been made; that something was omitted or overlooked, or something new disclosed not considered or passed upon at the former hearing. In the Sovereign Grand Lodge the Appeal Committee said that it would be a waste of time and trifling with the dignity of that Grand Body to ask it again to wade through the voluminous transcript in a certain case with no new grounds presented for its consideration and determination.

(p). Petition to Rehear.

323. The right of every tribunal to open and review its own action and decisions when it shall be made to appear that gross fraud or mistake has occurred is too well settled by the S. G. L. and the uniform voice of the courts to need argument. This, however, will be done in extreme cases and where the facts presented compel the tribunal appealed to to exercise its discretion, in order to a correct determination of the rights of the parties affected thereby.

324. A rehearing will not be granted at a subsequent session of the S. G. L., except in cases of gross fraud or mistake, which the aggrieved party used due diligence and took proper steps to have corrected.

325. The error upon which the petition for a rehearing is based must be one material to the decision of the case and one which would have affected the result.

326. In a certain case, the Committee on Appeals of the S. G. L. said: "Without passing upon the merits of this case, without saying whether the decision of the Grand Lodge was right or wrong, and without determining whether the memorialist obtained such a record as he was entitled to from the Grand Lodge, this application comes too late. For full three years the appellant has had full knowledge of all frauds or mistakes, of which he could take advantage, if there were any, and thus by his laches has lost his right to attack or reopen that decision.

APPEALS—Petition to Rehear.

327. All applications to open, rehear or review decisions of the S. G. L. in appeal cases, whether by petition, memorial or otherwise, must be prepared and forwarded to the Grand Secretary and under the same rules adopted by the S. G. L. for appeals, and be sent to the committee on appeals.

(q). What Law Governs.

328. In an appeal from the action of a Lodge, which appeal was taken and partly considered under the law in force prior to the present, the Lodge must continue its proceedings under the form of the law in force at the time of taking the appeal.

329. A new code of laws or a change in laws, unless there is a saving clause as to pending cases, immediately affects pending cases, and applies in full force to pending actions, even though it shortens the statute of limitations.

(r). Appeal Districts.

330. The committee, appointed by the Grand Master, to apportion the State into the Three Appeal Districts, provided for in the Constitution, reported that in fixing the boundaries of the several Appeal Districts they had carefully considered the matter referred to them:

First—With respect to the location and membership of Lodges.

Second—With respect to the railroad facilities in attending the meeting of the Appeal Committee.

Third—With respect to the geographical distribution of Lodges.

331. The Appeal Districts are known and denominated, respectively, Appeal District No. 1, headquarters at Philadelphia; Appeal District No. 2, headquarters at Williamsport; Appeal District No. 3, headquarters at Pittsburg.

332. Appeal District No. 1 is composed of the following counties: Adams, Berks, Bucks, Carbon, Chester, Cumberland, Dauphin, Delaware, Franklin, Fulton, Lancaster, Lebanon, Lehigh, Montgomery, Monroe, Northampton, Perry, Philadelphia, Schuylkill and York. Appeal District No. 2 is composed of the following Counties; Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Elk, Juniata, Lackawanna, Luzerne, Lycoming, Mifflin, Montour, McKean, Northumberland, Pike, Potter, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne and Wyoming. Appeal District No. 3 is composed of the following counties: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Clarion, Crawford, Erie, Fayette, Forest, Greene, Huntingdon, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, Warren and Westmoreland.

(s). Jurisdiction on Appeal.

333. The appellate body on appeal has jurisdiction only of the particular subject matter contained in the appeal.

334. A Grand Lodge should not reverse a decision of the Grand Master upon facts not before him, but should be confined to the record as reviewed by him.

335. From the record in a case, it appeared that an appeal was taken from the action of a Lodge, to the Grand Master. Complaint was made that certain proceedings were had by the members of the Lodge, in the Lodge-rooms, but that the occasion was treated as a purely informal meeting, and no record thereof made. The Grand Master held that this omission was error, and he sustained the appeal of the brother. The decision of the Grand Master was referred to a committee of the Grand Lodge. That committee, in reporting to its Grand Lodge, said: We are of the opinion that the Grand

Master was not in full possession of the facts, and after carefully considering the case, and giving interested parties a hearing, we find as follows:" (reciting three (3) findings), and concluding: "We, therefore, recommend that the decision of the Grand Master be reversed, and that the appeal of the brother be not sustained. The report was adopted. On appeal to the S. G. L., it was held that the Grand Lodge should not have reversed the Grand Master upon facts not before him, and upon a record he was not reviewing.

336. When a claim is made for benefits from a specified date only and refused, a Grand Body cannot, on an appeal from such refusal, allow benefits from a date anterior to the specified date.

337. A Grand Lodge in the matter of a claim by a non-resident Lodge against one of its subordinates for benefits paid to one of its members "went beyond that question and attempted to decide the question of the claim of the brother against his own Lodge for benefits accruing subsequently." Held that it had no jurisdiction in that proceeding to decide that question.

(t). Memorial Petition.

338. A memorial is a written representation of facts made to a legislative or other body, as the ground of a petition, or it is a representation of facts, accompanied with a petition.

339. A petition is a formal written request or supplication, particularly a written supplication, to a legislative or other body, soliciting some favor, right, grant or mercy.

340. It seems that in the appeal procedure of the Sovereign Grand Lodge is does not follow that a brother who may not have a right of appeal for want of consent, may not have the rignt of petition.

341. Where a brother was expelled by his Lodge, he appealed to the Grand Lodge, which sustained the Subordinate Lodge, and refused the brother its consent to his appeal to the Sovereign Grand Lodge. The brother presented his petition to this body, who, after reviewing the facts, took jurisdiction, decided that there were sufficient presented to warrant a finding that the proceedings in the Subordinate Lodge had resulted in placing the brother at a disadvantage. The S. G. L. therefore reversed the Grand Lodge, and directed it to order its subordinate to give the brother a new trial, beginning at a point wnere the proceedings were regular.

342. The Sovereign Grand Lodge has decided that it has no right to entertain or consider a petition or memorial while the brother making the same, or in whose behalf it is made, has an appeal pending before his Grand Lodge.

343. Where a Grand Lodge refused a brother permission to appeal, he presented his petition to the Sovereign Grand Lodge, in which the Committee on appeals, after reviewing the facts set forth, recommended the following resolution, which was adopted by the S. G. L.: Resolved, First, That the action of the Grand Lodge in refusing to grant permission to Brother F. to appeal to the Sovereign Grand Lodge against its action in his case, was not in accord with the true spirit of fraternity. Second, That said Grand Lodge be and is hereby directed to require his Lodge to reinstate Brother F. to membership in said Lodge.

344. The next year the same matter came before the S. G. L., on an elaborate opinion by the Grand Sire. After consideration, his opinion was modified as follows: "We do not concur fully in the reasoning of the Grand Sire concerning the effect to be given petitions to this body which are in the nature of appeals." The decision of the Grand Sire was, therefore, amended by striking out all matter not necessary to a decision of the question propounded, and it was made to read as follows: Decision—The case was not

one on appeal to the Sovereign Grand Lodge, and it does not appear from the statement and question whether or not the brother could have appealed. Whether or not the action of the S. G. L. in taking jurisdiction of and rendering judgment upon the petition of F. was proper is not for the Grand Sire to determine.

Appeals for Aid.

345. No Lodge shall entertain an application for pecuniary aid or assistance, under whatever scheme it may be presented, unless the same be authorized by the Grand Lodge or by the Committee on the State of the Order, and approved by the Grand Master, in accordance with the form prescribed for such purposes by the Grand Lodge.

346. The form of application for appeals for aid, from a Lodge to sister Lodges in this jurisdiction is set forth in the Grand Lodge By-Laws.

347. Where a Lodge outside of this jurisdiction desires to make an appeal to the Lodges in Pennsylvania, it shall, in the first instance, make application to the Grand Lodge of the State in which such Lodge may be located, and if not in the power of the Grand Lodge to render the aid required, such Grand Lodge may, if deemed expedient, ask the assistance of Grand Lodges in adjacent States, or of all Grand Lodges in the Union, through the Grand Masters of the same, who shall have power to issue circulars to their subordinates stating circumstances, etc., to make such appeals available.

348. The Grand Sire's report directs attention anew not only to the inexcusable ignorance of the law relating to appeals for aid in many jurisdictions, but to the lamentable tendency in many localities to seek foreign aid under circumstances that should appeal successfully to a local pride and self-respect that would not permit action so subversive of the independent spirit that should prevail in every subordinate. Moreover, the readiness with which permission is too often granted to make appeals for aid that is sought for comparatively trivial purposes should be strongly discouraged, and the principle maintained that the purpose of the law is to enable subordinates to secure relief and aid under conditions of actual distress, urgent need or calamitous circumstances. Furthermore, the employment of pernicious methods of securing aid, whether under legal sanction or otherwise, is in the highest degree detrimental to the best interests of our Order.

349. An Encampment of the Jurisdiction of Pennsylvania desiring to petition the Lodges of this jurisdiction for aid, must first obtain permission from both the Grand Patriarch and the Grand Master of Pennsylvania.

350. A Grand Body may grant permission to one of its subordinates to solicit contributions from its other subordinates for the relief of individual members.

351. As to appeals for aid, not having the sanction of the Grand Master, and the favorable endorsement of the Committee on the State of the Order, Subordinate Lodges are hereby directed to take no action on any such documents, whether from Lodges within this or other jurisdictions.

352. It is the duty of Lodges or brethren holding property to have it insured against loss by fire. And in case of neglect of this wise precaution, they have no claim upon the Order to make good their loss of property, as the Order is not a fire insurance company.

353. It is illegal to allow an appeal for aid to assist those who are not members of the Order.

354. It is illegal for a Lodge to send out a circular to the Lodges asking them to contribute from their funds money to pay off the debt of a church.

APPEALS—Appeals for Aid.

355. There having been dissatisfaction expressed concerning the disposition of funds received from appeals for aid to sister Lodges, it was resolved by the Grand Lodge that all Lodges that are permitted to appeal to sister Lodges for aid in this jurisdiction are hereby required to make a full report of the amount received, and the disposition of the same, to the Grand Secretary, and that this report shall be printed in the annual report of the proceedings of the Grand Lodge.

356. In case a Lodge from another jurisdiction is authorized to solicit aid in this jurisdiction, the Grand Master and Committee on the State of the Order must furnish such Subordinate Lodge with written authority therefor, in the following form, viz.:

Whereas, ... Lodge, No. .., of the State (or Territory) of, is under the necessity of appealing to her sister Lodges for pecuniary aid in consequence of
.....
The Grand Lodge of Pennsylvania recommends to her Subordinate Lodges to contribute to the aid of such Lodge.

(Signed.),Grand Master.
.....,
.....,
.....,
.....,
Committee on the State of the Order.

APPEALS FOR BENEFITS.

See **Claims for Benefits.**

357. Trials for disputed claims for benefits are begun by an appeal by the aggrieved brother from the action of his Lodge in refusing to pay him benefits claimed, and a request to the Lodge to appoint a commissioner to take the testimony. The course of procedure is fully set forth in the Subordinate Constitution and herein, under the title "Claims for Benefits."

358. Inasmuch as the proceedings begin by an appeal from the action of the Lodge, the procedure in the Lodge has been distinguished as "Appeals For Benefits." In 1888 the Grand Lodge directed that in future editions of the By-Laws of the Grand Lodge, the word "appeal" be printed "claim," and that the same change be made in the Rules of Order for Subordinate Lodges in future printing of Subordinate Constitutions in accordance with the action of this Grand Lodge.

APPLICATIONS FOR DEGREES.

359. Upon the application of those who received the initiatory degree prior to July 1, 1882, for any of the higher degrees, a ballot must be had (whilst the Lodge is working in the Third Degree), upon granting the degree for which the application is made.

360. No application can be received, ballot be had or vote taken, except in the Third Degree, at a regular stated meeting night of the Lodge, and at no other time.

361. A brother initiated since July 1, 1882, receives his degree without further ballot and in due course.

362. A brother may apply for and receive degrees on the evening of his initiation, or at any other time out of usual course, under dispensation, which can be granted by the proper executive officer for reasons satisfactory to himself.

APPLICATION FOR MEMBERSHIP.

(*See* **Proposition for Membership and Transfer of Membership.**)

363. In this jurisdiction there is no prescribed form of application for membership used. The usual custom recognized by the Constitution for Subordinate Lodges, and the practice of the Order, being for the proposer to certify in writing in a book called the Proposition Book, that he has a favorable knowledge of the character and standing of the applicant.

364. And this method is prescribed whether the applicant is or was a member of the Order, or desires to be admitted by initiation.

365. An applicant for transfer of membership by deposit of visiting card or official certificate is subject to the same rules that apply to regular applicants; but the legislation of the Sovereign Grand Lodge upon the subject of transfer of membership distinctly states that upon making an application for membership and stating that he is entitled to a withdrawal card from his present Lodge, that he has changed his residence from the Territorial Jurisdiction of his own Lodge to the Territorial Jurisdiction of the Lodge to which he is making application, and that he desires to unite with the Lodge at his new place of residence, his application may be received, investigated, balloted for and elected. It would therefore seem clear that a formal application would be required under the circumstances, and that it must be in writing, signed by the applicant, setting forth clearly all the facts necessary to bring him within the terms of this resolution.

366. The brother who makes an unauthorized proposition renders himself liable to punishment for the offence.

367. The following form of application may be used:

To the Officers and Members of.....Lodge, No...,
working under the jurisdiction of the Grand Lodge of the
Independent Order of Odd Fellows of Pennsylvania.

I respectfully request admission into this lodge, and in consideration of such admission I promise and agree that, if elected, I will conform to the Constitution and By-Laws of your lodge and those of the Grand Lodge of Pennsylvania, and that I will seek my remedy for all rights on account of said membership or connection therewith, in the tribunals of the Order only, without resorting for their enforcement in any event or for any purpose to the civil courts.

My age is.....years, my occupation is....., my residence.....

The facts upon which I base my right to transfer my membership, under the resolution of the Sovereign Grand Lodge of 1904, as amended in 1906, are as follows.

.....
.....
.....

Dated.....

Witness..... Signed.....

A brother under the resolution of 1904 (amended in 1906) is not proposed on a regular proposition blank by a member of the lodge which he wishes to join, said proposition blank requiring the proposition fee to accompany it. The brother makes application in writing by petition setting forth all the facts necessary to entitle him to the benefits of the resolution.

368. The application to the new lodge need not be accompanied by an official receipt or a withdrawal card. The facts necessary to support the application must appear in the petition itself, as the resolution provides. This

petition in addition to the facts set forth in the ordinary application for membership must state that the applicant is a member of the Order entitled to a withdrawal card from his lodge (naming it), or that he holds such a card in full force (producing it), that he changed his place of residence from the Territorial Jurisdiction of his own lodge to the Territorial Jurisdiction of the one he now desires to join, and that he desires to join such lodge. If on this petition he is elected, by ball ballot, as provided by local law, notice should be given by the new lodge to the old lodge whereupon he shall be entitled to a withdrawal card from his old lodge (if he does not already hold one in full force), and to admission to the new lodge on the conditions stated in the resolution of 1904, as amended in 1906.

369. An Odd Fellow enrolled on the "Aged Odd Fellows' Register" may apply for admission to any subordinate lodge under the conditions named in the law relating to the "Aged Odd Fellows' Fund." He will accompany his application with the certificate of the Grand Secretary that he has been enrolled on the said "Aged Odd Fellows' Register."

370. An application or a proposition may be withdrawn without the permission of the Lodge, before the report of the committee thereon is read to the Lodge, but not afterwards; but not from the committee, which is the direct creature of the Lodge, possessing no power further than that of inquiry and recommendation or disapproval.

371. If the report be recommitted to the committee, it is then too late to withdraw the name of the candidate.

372. Upon an individual applying for membership in a Lodge remote from his residence, the Lodge to which he makes such application shall give immediate notice to the Lodge or Lodges in the vicinity of his residence of such application, and shall wait three weeks for a reply thereto. If, at the expiration of three weeks from the date of such notice no reply shall have been received, a committee may be appointed who shall report at the next stated meeting as to the fitness of the candidate.

373. In all cases of application for membership by a member of the Order claiming admission by reason of holding a visiting card, official certificate showing dues paid in advance of its deposit, withdrawal card or dismissal certificate, the card or certificate must accompany the proposition for membership.

374. The applicant may demand the return of his card or certificate any time before he signs the Constitution, or authorizes it to be done, for the reason that until he signs the Constitution he is not a member of the Lodge.

375. If an application for membership in a Subordinate Lodge by deposit of card or certificate be made and rejected, the card or certificate must be returned to the applicant. The card or certificate is the rightful property of the brother by whom it is deposited, and unless accepted by the Lodge should, as a matter of course, be returned to its owner.

376. A visiting card, official certificate or card of withdrawal is the absolute property of the holder, and is evidence of his present or former good membership; and likewise his dismissal certificate, which is evidence of his former membership, and when he offers to deposit it and thus gain admission into the Lodge, if rejected, the Lodge has no right to mutilate the card or certificate by endorsing "rejected" thereon. No Lodge or member has the right to place any extra writing on the edge of a visiting or withdrawal card or official certificate or dismissal certificate, setting forth facts not provided for in the regular form of the card, except that on a visiting card any writing may be endorsed that may be necessary to set forth the right of the holder to benefits under the laws of the Lodge issuing the card, and to the relief he has received.

APPLICATION FOR MEMBERSHIP.

377. An application for membership in a Lodge upon a dismissal certificate is acted upon in the same manner as an application for membership upon a withdrawal card, viz.: If the Lodge is satisfied of the correctness of the certificate, the application shall be referred to a committee of three, whose duty it shall be to inquire and report at the next stated meeting of the Lodge, as to the character and fitness of the applicant for membership. Upon the presentation of the report, the applicant shall be balloted for, and if only two black balls appear against him the applicant shall be declared elected to membership. If more than two black balls appear the applicant shall be declared rejected.

378. An application for admission upon a dismissal certificate having been rejected, it cannot be renewed in the same Lodge within six months from the date of its rejection.

APPLICATION FOR PERMISSION TO USE NAME OF ORDER, REGALIA, Etc.

379. An application addressed to the Grand Master must be made in writing by the Lodge desiring the permission, signed by the Noble Grand, attested by the Secretary and sealed with the seal of the Lodge, before the Lodge shall hold or make any arrangement for or manage or to any extent control any anniversary, excursion, picnic, ball, party or entertainment of any kind, where regalia, emblems or name of the Order will be worn, assumed, or used, and such permission will only be granted upon the direct promise, through the officers of the Lodge, that no intoxicating beverage of any kind shall be offered to members or guests present on the occasion.

380. And no member of a Subordinate Lodge shall in any way make arrangements for, or assume to manage any such public affair where the name, regalia, or emblems of the Order will be assumed, worn or used until his Lodge has obtained the Grand Master's permission as aforesaid.

381. As regards to all applications for permission to hold entertainments, festivals, &c., a full notice and reasonable time shall be given for the proper consideration thereof, and all such applications shall be accompanied by a full program of particulars of the proposed object for which permission is asked, and submitted to the Grand Master fifteen days prior to the day on which such entertainment is to be held.

382. If the Lodge should hold any such entertainment or appear upon any public occasion without the permission of the Grand Master, or the Lodge is authorized, together with all the Lodges in this jurisdiction to so appear upon any occasion, the same promise will be implied to have been given, as above stated, and the Lodge will be held accountable for any violation thereof.

APPOINTED OFFICERS.

383. The appointed officers, both for Grand Lodge and Subordinate Lodges, have duties as prescribed in the rituals of the Order.

384. Any Scarlet Degree member is eligible to any office in a Lodge, except that of N. G. and V. G., and hence a Subordinate Lodge has no right to require service in an appointed office as a qualification for election to any other elective office.

385. It is lawful for the acting Noble Grand to fill a vacancy in an appointive office occurring while he is in the chair, where the Lodge confirms the appointment.

APPROPRIATIONS.

386. Subordinate Lodges have the right to determine the propriety of appropriating their funds to all legitimate purposes recognized by the Order.

387. Some latitude has been given to the construction of the phrase "legitimate purposes of the Lodge." Thus, the funds may be appropriated to the celebration of the anniversary of the establisnment of our Order, and the control of a Lodge over its funds has been emphatically recognized in its right of appropriation to "purposes recognized by the Order."

388. Funds paid into the treasury to answer the call of the sick, to bury the dead, to educate the orphan, or to answer the legitimate expenses of the Lodge, cannot be diverted from the treasury to be expended in pleasure excursions, picnics, or the like, for these are not the legitimate purposes of a Lodge. To appropriate money from the treasury in payment of expenditures incurred in such excursions is a misappropriation of the funds provided for the sick, the burial of the dead, the education of the orphan and the legitimate expenses of the Lodge.

389. An organ is a valuable fixture in a Lodge-room, and therefore, if the finances of the Lodge will justify the purchase of such an instrument, without crippling it in paying benefits or in prosecuting the good work of benevolence and charity, an appropriation of Lodge funds for that purpose would not be in violation of the laws of the Order.

390. It is illegal to take from the treasury of a Lodge the expenses of a supper (or banquet), given on the night of the installation of its officers, or at any other time.

391. A Subordinate Lodge may expend a reasonable amount of its funds to defray the necessary expenses incident to the celebration of the introduction of Odd Fellowship in America, in such manner as shall tend to promulgate and illustrate its principles, or to elevate it or dignify it in the eyes of the community, but not for those things which contribute merely to the pleasure or gratification of the individual member, and that, within these limits, the question is one for the subordinate or its immediate Grand jurisdiction. A subordinate has not the right, and a Subordinate Grand Body cannot confer upon them the right, to celebrate the Anniversary of the Order by providing for its members and their families a literary and musical entertainment, with a collation and dancing, the expenses to be paid from the funds of the Lodge. Such an expenditure is not an expenditure for the legitimate purposes of the Order.

392. It is illegal to expend the funds of the Lodge for a postponed or deferred or adjourned Anniversary of the Order celebration held on another than the regular day.

393. What are and what are not proper and legitimate appropriations of Lodge funds for objects other than the relief of the sick and distressed of its own members, the burial of the dead and the legitimate working expenses of the Lodge depends, of course, upon all the circumstances incident to each case at the time it is presented for adjudication, but that the Lodges may have some information on the subject additional to the general principles above set forth, the following list of adjudged legitimate expenses is appended:

It is a legitimate appropriation of Lodge funds:

To hire a hall, pay for printing, procure orators, hire music to accompany a parade, and also as an attractive feature incident to the ceremonies, when celebrating the Anniversaries of the Order, or holding Memorial Services, pursuant to the Grand Sire's Proclamations.

To hire watchers to watch with the Lodge's own or transient members.

APPROPRIATIONS.

To purchase flowers for its sick or deceased members.

To purchase real estate.

to build a hall.

To purchase a frame for the charter.

To buy pictures for Lodge room adornment.

To make a donation to a brother in ill-health, although he is not beneficial.

To make a donation to bury a brother who was not beneficial.

To assist new Lodges.

To help and support the homes of the Order.

To buy the necessary Lodge-room furniture, where the Lodge owns or leases its own building, including a piano or organ.

To purchase a Veteran and Honorable Veteran's Jewel for members of the Lodge entitled to wear them.

To pay the premium on the surety bond given by its fiscal officers, when that class of bond is ordered by the Lodge.

To hire a physician in time of local epidemic.

To donate money in support of properly authorized appeals for aid.

To buy a Lodge library.

To buy a prize to be given to the best drilled Canton in the jurisdiction.

394. It is not a legitimate appropriation of Lodge funds to procure anything which merely contributes to the pleasure and gratification of the individual members.

To pay the expenses, either all or in part, incident to Anniversaries, parties, balls, picnics, excursions, clam bakes, banquets, suppers, luncheons, collations, literary and musical entertainments or dances, or the like, whether incident to a Lodge Anniversary, installation ceremony, or any other occasion, except as noted in the preceding section.

To pay for music at the funeral of a deceased member.

To pay carriage hire or railroad fare of members attending the funeral of a deceased member.

To procure street uniforms.

To pay a reward for the apprehension and conviction of a person who terribly beat and wounded a Lodge member.

To donate any money to any charity or public object outside of the Order, no matter how worthy.

To pay directly or indirectly the dues of its members.

To make any donation to a member, unless he is sick or in distress from such disabilities as it is the purpose of the Order to relieve, nor for any other reason, like faithful service, &c.

To assist in furnishing a room in a public hospital.

To buy Past Grand's regalia to be presented to retiring Past Grands.

To buy a regalia for its retiring Treasurer.

To pay for an oyster supper.

To pay the expenses of entertaining the Grand Lodge or Grand Encampment, or any other Grand body.

APPROPRIATIONS.

395. It is illegal to divide the funds of a Lodge among the members thereof under the color of donations. Said funds are trust funds, held for the benefit of sick and distressed members of the Order, their widows and orphans.

396. A Lodge appointed a committee to make arrangements for an excursion for the members; the railroad company required a certain guaranteed amount; after the excursion the Lodge finds that there was not enough tickets sold to fill the guarantee. The Noble Grand refused to entertain a motion to pay the deficit out of the Lodge funds. Was the action of the Noble Grand legal or correct? Held the Noble Grand was correct in refusing to entertain the motion.

ARREARS.

(a). As Affecting the Rights of Membership.
(b). Impossible while Sick.
(c). Payment in Full.
(d). Paid while Sick.
(e). As Affected by Lodge Indebtedness.
(f). Mistake of Secretary.
(g). Mistake of Lodge.
(h). For Funeral Dues.

(a). As Affecting the Rights of Membership.

397. A member of a Subordinate Lodge who is in arrears for weekly OR funeral dues more than thirteen weeks is not entitled to the term password or to vote in the Lodge, but is a contributing member until suspended, dropped or expelled, in accordance with the requirements of the Constitution, and as such is entitled to visit his own Lodge.

398. Arrears can only be computed by weeks, not by days or months.

399. The Constitution provides that a member who is over thirteen weeks in arrears is not entitled to benefits. A member owes over thirteen weeks at the close of the fourteenth night.

400. It is not lawful for a Lodge to charge against a deceased brother's account the fraction of a week's dues that have accumulated since the last meeting of the Lodge to the day of his death, in order to deprive his beneficiaries of the funeral benefit.

401. A member of a Subordinate Lodge who is in arrears for weekly or funeral dues for more than thirteen weeks is not entitled to the semi-annual password, or to vote in the Lodge, nor can he receive any degrees to which he might otherwise be entitled, or hold any office or be a candidate for office. He is a contributing member until suspended or expelled, in accordance with the requirements of the Constitution, and as such he is entitled to visit his own Lodge. But upon the payment of a sum sufficient to bring his arrearages to, or less than thirteen weeks, he is entitled to the password and to vote and otherwise exercise the rights of membership until again in arrears, as the requirements to pay arrearages in full, and a probationary period of non-good standing thereafter, as permitted by the Constitution for Subordinate Lodges, and sometimes provided in Lodge by By-Laws, applies only to beneficial, not good standing. The above phrase, "who is in arrears" for weekly or funeral dues for "more than thirteen weeks," means "who owes more than thirteen weeks' weekly or funeral dues." Hence a brother who had paid his dues to the close of the last meeting night in December, was more than thirteen weeks in arrears after the close of the first meeting night in April, if he had made no further payment.

402. A By-Law requiring quarterly payments, and that a member shall be clear of the books on quarter night, under penalty of not being entitled to benefits, is void and of no effect.

403. The 25 cents for dues for the Orphan's Homes, which is directed to be charged at the first meeting night in April of each year, operate to make a

brother non-beneficial after they have been charged over thirteen weeks. The time when the Lodge shall pay these dues to the Grand Lodge has no relation to the time when the brother shall pay the same to the Lodge so as to affect his standing. Under our Constitution and laws, all dues, assessments, or charges, after being charged over thirteen weeks, and remaining unpaid, are to be calculated in determining whether or not a member is in good standing.

404. When a brother's arrearage was caused through the fault of the Lodge or the Secretary, by which he was misled as to his financial standing, the brother is not legally in arrears until his attention has been called to the error or misstatement, and he has been given a reasonable opportunity to liquidate the same.

405. Salary due an officer of a Lodge for which no payment has been ordered to be made cannot offset unpaid dues so as to cover the arrearages of the brother.

406. A member in arrears cannot be allowed to go back to discover some fine, that it is alleged ought not to have been included in the indebtedness, but to which no objection or protest was made at the time of payment, for the purpose of bringing the objector in good standing.

(b). Impossible while Sick.

407. It is impossible for a brother to get in arrears while sick, provided that his sickness has been reported to the Lodge, in accordance with the requirements of the law, and that the brother was in good standing when taken sick.

408. Notwithstanding the provisions of the law that if a brother not in arrears should be taken sick he cannot become a delinquent while sick, or be deprived of benefits, if a brother's sickness was not reported to his Lodge, in accordance with legal requirements, the said provision would not apply to or avail him. If he has not complied with the rules, which are conditions precedent to his right to receive benefits, there would be no benefits applicable to his dues and there would be nothing to prevent his becoming delinquent.

409. A member who was beneficial at the commencement of his sickness cannot be deprived of benefits during that sickness, though he becomes in arrears, as it is the fault of the Lodge in not retaining so much of his benefits as would keep him in good standing during such sickness.

410. When the By-Laws provide that no benefits are to be paid for the first week's sickness, a member in good standing who becomes in arrears during such first week's sickness is not deprived of benefits because of such arrears. It is impossible to get in arrears while sick.

411. Where the By-Laws require notice of sickness to be given to the Lodge, or its officers, or the Relief Committee, the failure to give this notice promptly does not deprive the sick brother of his benefits subsequent to such notice, if he was in good standing at the time his sickness began, although the books may show him to be in arrears at the date the notice is received by the Lodge.

412. The local law providing that notice of sickness must be given, and application made for benefits to the Lodge, the Secretary, or to a member of the Relief Committee, and that the sickness of members residing within the territorial jurisdiction of the Lodge shall be deemed to have commenced not more than seven days prior to notice of his sickness. A member was taken sick while beneficial, and requested a member of the Lodge, not one of the Relief Committee, to notify the Lodge of his sickness. He not doing so, the

ARREARS—Impossible while Sick.

claimant requested his brother to notify the Lodge, which was not done until two weeks after the commencement of his sickness, and at that time he was in arrears and non-beneficial. The reasonable construction of the law above quoted required no more than the withholding of all benefits prior to seven days before such report, and both weekly and funeral benefits were due.

413. A brother who is in good standing when taken sick, but under a penalty for not promptly paying arrears of dues, cannot become in arrears so as to be non-beneficial during the running of this penalty, so as to deprive him of the benefits that may be payable for this sickness, after the expiration of the period of forfeiture.

414. A brother in good standing who has received the Third Degree and is taken sick during the period stated by the By-Laws before which he shall be entitled to benefits, cannot become in arrears during this period so as to deprive him of benefits which will accrue for the same sickness after the expiration of the said period.

415. A brother who has been sick and in receipt of benefits cannot become in arrears so as to become non-beneficial for a period of over thirteen weeks after the date of his being declared off the sick list, no matter what may be the condition of his account for unpaid dues, as it was the duty of the Lodge to have deducted the dues from the benefits, and if it failed to do this, it cannot take advantage of its own neglect.

416. When benefits are withheld from a member under an erroneous impression of the condition of his health, his benefits remain still due him, so that upon his death from that sickness the Lodge cannot deprive his widow of her claim on the ground that he was in arrears at the time of his death, the benefits due him being more than sufficient to pay his dues. It is the duty of the Lodge not to permit a member, who is in receipt of benefits, to become in arrears, even in ordinary cases, but where the member is in extremis, it becomes especially its duty.

417. Where a brother was taken sick on the morning of the day when his dues must be paid to prevent his becoming non-beneficial, to such an extent that he was unable to attend the Lodge meeting that night. Held that he was beneficial when taken sick, and it was the duty of the Lodge to apply his benefits so as to prevent him becoming non-beneficial. Also, that although his dues were not paid that evening, he could not have been declared non-beneficial until the next meeting.

418. During the time of an appeal to the Grand Lodge or Sovereign Grand Lodge, a brother is bound to pay his dues to the Lodge as though the proceedings were not pending, and if he fails to keep himself beneficial he will not be entitled to benefits for sickness happening after he has become in non-beneficial standing any more than as though the proceedings were not pending.

419. Funeral benefits cannot be denied upon the grounds that the deceased brother became in arrears after his illness began, and before the date of his death.

(c). Payment in Full.

420. A member paying in his Lodge at a stated meeting all the dues that were chargeable against him at the end of the previous meeting should be regarded as having paid his arrearages in full. The dues chargeable against him for that evening are not due until the Lodge is closed.

421. A brother is in arrears on November 7th to the amount of $1.90, being over three months in arrears ($1.69) being three months' dues. The brother paid, on November 8th, $2.00, which was placed to his credit the next meeting night, November 14th. On November 11th the brother was injured. The brother is not entitled to benefits.

ARREARS—Payment in Full.

422. Where there is no provision in the By-Laws prescribing a penalty for the want of prompt payment of arrears, any member who has been in arrears and who may be taken sick or disabled at a time when he shall owe not more than the amount of thirteen weeks' dues (weekly and assessments) to the Lodge shall be entitled to benefits.

423. A Lodge under the general law, as well as by the Constitution for Subordinate Lodges, may provide by By-Law that members in arrears shall not be entitled to benefits until a specified time after they shall have paid up their dues in full.

424. By the general law, a member who is in arrears for dues so as to deprive him of benefits under the local law, cannot become entitled to them until he shall have paid up in full all dues (weekly and funeral) and fines that have accrued against him, nor then until the expiration of such time thereafter as may also by the By-Laws be provided as a penalty.

425. A brother becomes over thirteen weeks in arrears for dues, and the By-Laws provide that members in arrears shall not become beneficial until four weeks after paying all arrearages in full. The brother pays up all arrearages, but is taken sick before the expiration of the penalty. He will become beneficial at the expiration of the four weeks from the date of payment.

426. A brother who pays his dues while in arrears becomes entitled to draw benefits at the end of the probationary period fixed by the By-Laws of his Lodge. Therefore for a sickness occurring and reported during said probationary period and continuing thereafter he becomes entitled to benefits from the end of said period and during the continuance of such disability.

(d). Paid while Sick.

427. In case a member has neglected to pay his dues for such length of time as to be debarred by the laws of his Lodge from drawing benefits while sick, he cannot be permitted, while he continues sick, to come in and pay his dues so as to entitle himself to benefits during that sickness.

428. While a member was in arrears for dues, and not entitled to benefits, he was shot and in a few hours died. After the accident, and before he died, the amount of his dues was presented to the Secretary of his Lodge and accepted by that officer. This was not during a Lodge meeting, but the Secretary afterwards gave credit for the amount, and the Lodge, assuming that this payment placed the deceased in good standing, granted his family funeral benefits, which was an error.

429. A brother was reported sick, and being in arrears, was non-beneficial. His dues were paid while he was sick. He thereafter died, but there being no creditable testimony to show that he recovered from the first sickness before his death, his widow was held not to be entitled to benefits.

430. A brother having been disabled while in arrears and not beneficial, so far recovered as to engage in business. Subsequently he paid all arrears and put himself in good standing, and the Lodge paid him benefits. Afterwards while in good standing, he is again taken sick from a fresh cold that aggravated the old malady. The brother was entitled to benefits.

431. Where a brother has been for several years afflicted with such disease as epilepsy, occasional and unpremonitory attacks of which render him at times, for short periods, unable to follow his usual or other occupation, the fact that he was in arrears and not beneficial during one of these attacks, will not disqualify him from receiving benefits at the time of a subsequent attack, if he is not in arrears, and is otherwise in good standing.

ARREARS—As Affected by Lodge Indebtedness.

432. A brother was taken sick, but was in arrears for dues and not entitled to benefits. He paid up and became in good standing while sick. The sickness continued about three months, and then he went to work and worked five months. Was again taken sick with the same disease. He was not declared off the sick list officially during the first sickness. The fact that the brother went to work and worked for five months took him off the sick list. His own actions removed him from the care of the Lodge.

(e.) As Affected by Lodge Indebtedness.

433. A member is indebted to the Lodge for one quarter's dues, and the Lodge is indebted to him for salary as Secretary to the amount of the quarter's dues, the accounts stand open, no settlement having been made between him and the Lodge, and no order having been directed to be drawn on the Treasurer for the salary; the member is not entitled to benefits, but his widow, in case of his death from this sickness, would be entitled to funeral benefits.

434. A brother cannot be deprived of sick benefits on the grounds that he is in arrears, if the Lodge is indebted to him on account of a prior sickness sufficient to place him in good standing.

(f). Mistake of Secretary.

(*See* Secretary.)

(g). Mistake of Lodge.

(*See* Mistake of Lodge.)

(h). For Funeral Dues.

(*See* Dues—Subheading Funeral Dues.)

435. It is legal for a Lodge to assess its members a stipulated amount for the purpose of paying funeral benefits. It is also legal for a Lodge to charge such amounts as are unpaid at the end of thirteen weeks as dues that are in arrears.

436. A brother was refused his wife's funeral benefit for the alleged reason that he was more than thirteen weeks in arrears for dues. The Constitution of the Lodge provided that no brother shall be entitled to benefits who is more than thirteen weeks in arrears for dues. The law of the jurisdiction provided that funeral assessments should not be added as dues, so as to make a member non-beneficial until the close of the Lodge on the fourteenth meeting night thereafter. The secretary had charged in his account against the brother his funeral dues, which, with his Lodge dues, made him non-beneficial four days prior to his wife's death; deducting them, he was, at the time of her death beneficial. Held that he was entitled to the funeral benefit, for the reason that the funeral assessment not being chargeable as dues until after the close of the fourteenth meeting night, it could not, in the meantime, operate to make the brother non-beneficial.

(It will be noticed that the law defining arrearage as affecting beneficial standing is, in the conjunctive, to wit: Weekly and funeral dues, while the law defining good standing is, in the disjunctive, to wit: weekly or funeral dues.)

437. Funeral dues cannot be added to, or counted as weekly dues until after being charged over thirteen (13) weeks, nor can they be counted so as to make a member non-beneficial within fourteen weeks.

ASSESSMENTS.

(a). By Grand Lodge. (b). By Subordinate Lodge.

(a). Assessment by Grand Lodge.

438. The Grand Lodge has the power to assess the Subordinate Lodges to meet the deficiencies and pay current expenses, and the ratio of membership may form the basis of the assessment on the Subordinate Lodges, out of their Lodge funds.

439. Where the Constitution of a Grand Lodge provides that the "revenue of this Grand Lodge shall be raised solely for defraying the necessary expenses thereof, and shall not be appropriated to any purpose foreign to the objects of the Order," it was held that the Grand Lodge had power to assess its subordinates for purposes other than its own support.

440. The Grand Lodge cannot impose an assessment on the Subordinate Lodges for the establishment or support of Odd Fellows' Libraries.

441. The Grand Lodge has the power to assess Subordinate Lodges by a per capita tax, or any proper form of tax, for the establishment and maintenance of Homes for Orphans of Odd Fellows and Odd Fellows' Homes, even though such homes are not entirely under its complete control, but is made up of such Lodges as may join the association.

442. The question of establishing and maintaining these homes has been delegated to and vested in Grand bodies. This power necessarily implies the power to raise money for the support of such homes by a per capita tax, or such other form of tax levied against their subordinates as the grand bodies may determine to be consistent with the welfare of the Order in their respective jurisdictions.

(b). Assessment by Subordinate Lodge.

443. It is the right and duty of subordinates to impose dues and assessments upon their members, that they may be enabled to grant stipulated weekly benefits to sick members and pay funeral benefits.

444. It is lawful for a Lodge to provide by its By-Laws that assessments shall be levied for nurse hire, and such laws are enforceable. It is also legal to charge the amount of the assessments as dues at the end of thirteen weeks, so as to place in arrears a member who fails to pay the same.

445. A Lodge cannot lawfully assess its members so as to get the money to purchase regalia or to fit up the Lodge-room and to procure necessary fixtures therefor, or to support an Odd Fellows' Library, or for the general relief of transient brethren, or for insurance of any kind.

446. It is lawful for a Lodge to provide by its By-Laws for watching with its sick members, and to tax the members for nurse hire

447. A By-Law which provides for levying assessments upon the Lodge members to pay for watchers with the sick is legal.

448. It is legal for a Lodge to require monthly or quarterly contributions to create a fund to pay a stipulated amount to the widow or heirs (meaning dependent relatives) of a deceased brother. It is legal for a Lodge on the death of a brother to assess the membership a stipulated amount (say fifty cents per member), for the purpose of paying the widow or children of the deceased a certain amount (say fifty cents for each remaining member). It is legal for a Lodge to charge such amount at the close of the quarter as dues—that is, such assessments are to be considered as funeral dues.

ASSESSMENTS—Assessment by Subordinate Lodge.

449. A Lodge may legally have a nurse fund raised by assessment in equal proportions on every member of the Lodge to defray the expenses of a trained nurse, instead of calling upon the members to watch, a brother taken ill who is not in good standing. If care is necessary, the Lodge is compelled to supply a nurse, and he is not debarred on account of not being in good standing.

450. A Subordinate Lodge may legally, from time to time, levy an assessment on all its members in order to provide a special fund out of which to pay a funeral benefit of say $200, and enforce payment of these assessments under penalty of suspension from the Order for non-payment of dues, there being no local law to the contrary.

451. A By-Law of a Lodge providing for levying an assessment upon the members to pay a stated sum as funeral benefits is enforceable.

452. An assessment to pay funeral benefits on account of the death of a member of a Lodge, which provides by By-Law for the payment of funeral benefits by assessment, can be charged as dues, so as to place the brother in bad standing at the end of the quarter. Funeral assessments can be charged as dues.

453. A Lodge may legally adopt and enforce a By-Law authorizing an assessment on the members in case there is a deficiency in the fund from whence payments are made for nurse hire (the By-Laws providing for nurse hire), funeral benefits, sick benefits and for the general expenses, without the Grand Lodge passing an enabling law, unless there is something in the Constitution for Subordinate Lodges or in the local legislation of this jurisdiction to prevent.

454. The Grand Lodge has authority to pass a law authorizing Lodges to levy and enforce assessments on their members in case there is a deficiency in their funds for benefits and general expenses.

ATTENTIVE BENEFITS.

(a). General Principles. (b). Watchers. (c). Nurses.

(a). General Principles.

455. According to the general law it is a fundamental principle of Odd Fellowship that a brother in arrears for dues who is not dropped is entitled to be visited by the officers of his Lodge and cared for and watched with at night in sickness although he may not be entitled to pecuniary benefits, and any provision to the contrary in the Constitution for Subordinate Lodges, prescribed by any State Grand Lodge, is void.

456. In 1902 the Sovereign Grand Lodge so far modified this fundamental principle as to enact that hereafter the qualifications for "attentive benefits" in this Order, and which involves the payment of money of the Lodge so far as such benefits include the services of watchers or nurses, shall be the same as for "weekly benefits." The Grand Lodge may limit, or permit its subordinates to limit by By-Law the time for which such services shall be rendered, as may be deemed best for the interests of said subordinates and their members in the several jurisdictions, or providing that watchers and nurses paid from Lodge funds shall not be furnished to members who shall be so much in arrears for dues as to prevent them from receiving sick or funeral benefits.

457. The question was asked: "Are the qualifications for attentive benefits, so far as applicable, mandatory upon Subordinate Lodges, or are they optional with Subordinate Lodges, after Grand Lodges have given them permission to change their By-Laws to that effect?" It was held that construing

ATTENTIVE BENEFITS—General Principles.

the first part of the above resolution separately it would seem to be self-executing and absolute, but it is limited by that which follows, and the entire resolution must be construed together. Thus construed it means that when Grand Lodges so provide or authorize, subordinates may limit the time of employment of paid watchers and nurses for and as to members who are qualified to receive "weekly benefits;" and that when Grand Lodges have so provided or authorized, subordinates will not be required to provide watchers or nurses at all for those not entitled to "sick or funeral benefits." If the first statement of the resolution was intended to be absolute, the qualifications following thereafter of limiting the time as to the beneficial class, and authorizing no such paid service to the non-beneficial class would have been idle and contradictory in terms. The Grand Sire therefore held that the resolution is not mandatory, but empowers Grand Lodges either to make it mandatory on subordinates, or to permit subordinates desiring the authority, to have the benefit of it. At the same session of 1903, the Sovereign Grand Lodge, in order to remove any doubt upon the subject, passed the following: "That hereafter Grand Lodges may, and they are hereby empowered, to so legislate as to require the same qualifications in order to entitle members to attentive benefits, as are, or may be required in order to entitle members to pecuniary benefits, and that all former legislation in conflict herewith is hereby repealed."

458. There has been no legislation on the subject by the Grand Lodge of Pennsylvania, so the general law prevails here; therefore the Grand Lodge has recently approved the decision of the Grand Master that a member more than thirteen weeks in arrears is entitled to attentive benefits.

459. Attentive and pecuniary benefits must be distinguished. Pecuniary benefits depend upon "good standing," attentive benefits do not.

460. Members of a Lodge in this or another Grand Jurisdiction are entitled to receive the same care and attention from another Lodge within whose territorial jurisdiction they may be visiting or residing, as this latter Lodge extends to its own members. "Attentive benefits" are fraternal obligations, due to a brother as a brother and members of the Order; "Sick Benefits" are financial obligations, dependent upon the law governing the Lodge to which the member belongs. Lodges in this jurisdiction, whose By-Laws provide for the payment of a nurse, are bound to refund the amount thus necessarily expended by another Lodge upon their members under its care, or so much thereof as their By-Laws provide.

(b). Watchers.

461. Night watching is a form of attentive benefits.

462. The general laws of the Order require only night, not day watchers, to be furnished as attentive benefits.

463. Any expense incurred in the payment of such watchers is altogether apart from the sick benefits due under the general or local law.

464. A Lodge has the right to expend its funds not otherwise interdicted, for the hiring of watchers.

465. The Grand Lodge has recommended to the Subordinate Lodges that they include the following among their By-Laws: Should a member be so sick as to require it, and the disease be not contagious, the Noble Grand shall appoint two members in rotation, as they stand on the list of members (always commencing where having left off on a former occasion) to attend him during the night; any member failing to perform his duty when so appointed, shall be fined one dollar, unless a sufficient excuse be rendered. Provided, that a member may employ a competent person to perform the duties of his appointment.

ATTENTIVE BENEFITS—Watchers.

466. A brother assigned to watch with the sick cannot lawfully refuse to attend to this fraternal duty, if the sick brother is within the territorial jurisdiction of the Lodge.

467. Where a By-Law of a Lodge provides that a member must watch with the sick or pay a fine, a member of the Lodge who resides beyond the jurisdiction of the Lodge and fails to report to the nearest Lodge where he is residing, for nurse or watch duty, and have a certificate of such facts sent to his own Lodge, can be assigned to watch with the sick, and failing to do so, can be fined.

468. Where a Lodge provides for "night watchers" for sick members, it is to be considered as a form of "attentive benefit," and any expense incurred in payment of such watchers is altogether apart from the sick benefits and dues under the general or local law.

469. On complaint of a brother that he had been repeatedly fined by his Lodge for not visiting the sick, as required by the By-Laws, he himself being confined to his chamber by illness, such fines resulting in delinquency that deprived him of benefits, it was held that every fine so imposed and enforced was contrary to the principles, teachings, spirit and intents of Odd Fellowship, and was at variance, practically with the dictates of humanity and fraternity, and being so, was illegal, as the act of a Lodge. And that any delinquency of his contingent on such illegal charges of fines was a quasi delinquency, and could not rightfully, in itself, be a bar to his claims for benefits; and if, at any time that he claimed benefits, his alleged bad standing on the books of the Lodge was the result of such charges, and none other of sufficient amount to make him in themselves delinquent, then the Lodge is bound, both in law and equity, to [illegible] benefits claimed by him, he otherwise making his claim good. A Lodge cannot demand impossibilities of a brother, nor inflict penalties for the failure to comply with such demands.

470. The By-Laws of a Lodge state that no member is entitled to benefits until five months after receiving the Third Degree. A brother who has not been a member five months since receiving the Third Degree is taken sick. He is not entitled to a paid nurse until the expiration of the five months; then he will be. In the meantime, he is entitled to be cared for by the brothers with personal attentive benefits, that is, the brothers to visit and care for him.

(c). Nurses.

471. If a Lodge desires to secure the services of a nurse for its members when sick, some provision must be made to provide the means to pay for the same outside of the weekly dues, and they can be gratified in their desire to have such attendance.

472. If the By-Laws so provide, the expenses of nurse hire may be paid out of the five per cent. contingent fund.

473. It would be legal for a Lodge to have a By-Law to have brothers watch nightly with sick members, and at the same time to have a By-Law to assess their members to pay for a day nurse, as this is an added expense not contemplated by general law as coming out of the dues.

474. A brother is taken ill who has not paid his nurse fund assessment. It depends upon the local law to determine whether the Lodge is compelled to supply a nurse, or if he is to be debarred on account of not having paid the nurse fund assessment.

475. There are cases where a Lodge undertakes by By-Law to do by indirection that which it cannot do directly. It provides for the payment of sick nurses out of the general funds, without specifically providing for raising a fund to meet the expense. The Grand Lodge, after long and careful

ATTENTIVE BENEFITS—Nurses.

consideration, and the expenditure of much time and labor, has fixed a relative amount of dues to weekly benefits as a basis upon which it may be fairly expected that Lodges may live and comply with their engagements. And the Grand Lodge is not prepared to change that system, either directly or by allowing drafts upon the treasuries of Lodges for other purposes, although in themselves perfectly proper, whereby the proportion designed shall be impaired.

476. The "Nurse Fund" of a Lodge, whether raised by weekly dues or otherwise, must be kept in a separate account from the other funds of the Lodge. The amount paid into this fund, the amount expended, and the amount in the treasurer's hands at the close of the term, should each be distinct items in the semi-annual report to the Grand Lodge.

477. The Constitution for Subordinate Lodges of a jurisdiction provides only for assessments on cases where the regular funds are reduced below a certain amount. No other express authority to assess the members is to be found in the Constitution. Held that it would be legal for a Lodge to have a By-Law to have brothers watch nightly with sick members, and at the same time to have a By-Law to assess their members to pay for a day nurse, as this is an added expense not contemplated by general law as being covered by the weekly dues.

478. In 1893 the Grand Sire decided that where a Lodge provides for "night watchers" for sick members, this is to be considered as a form of "attentive benefits," and any expense incurred in payment of such watchers is altogether apart from the sick benefits due under the general or local law. But when provision is made for hiring a nurse, the local law may also provide for a reduction of sick benefits during the time such nurse is engaged, on condition that the aggregate amount paid for nurse hire and benefits shall not be less than the sum to which the sick brother is entitled under the Minimum Benefit Law. The Sovereign Grand Lodge approved the following portion of said decision, to wit: "Where a Lodge provides for night watchers for sick members, this is to be considered as a form of 'attentive benefits,' and any expense incurred in payment of such watchers is altogetner apart from the sick benefits due under the general or local law." The remainder of said decision, to wit: "But when provision is made for hiring a nurse, the local law may also provide for a reduction of sick benefits, during the time such nurse is engaged, on condition that the aggregate amount paid for nurse hire and benefits shall not be less than the sum to which the sick brother is entitled under the Minimum Benefit Laws," was not approved, for the reason assigned by the Grand Sire in the portion of the decision above approved, to wit: That nurse hire is a form of "attentive benefits" and is altogether apart from sick benefits.

479. In this jurisdiction the endorsement on a brother's card that his Lodge does provide for hiring a nurse is to be regarded by any Lodge or Relief Committee as authority to hire a nurse for a transient sick brother, when the nature of the sickness requires such nurse's attention.

480. The endorsement on a brother's card that his Lodge provides for hiring a nurse, has been construed only as giving correct information, and is not to be construed, per se, as unqualified authority to any Lodge or Relief Committee to hire a nurse for such brother when sick and under its care, without asking the permission of the brother's Lodge.

481. It shall be the duty of the recording secretary of a Subordinate Lodge, when he issues a visiting card, to endorse thereon the character of attentive benefits allowed by the By-Laws of such Lodge, and if such By-Laws allow the hiring of nurses during sickness, such fact shall also be stated, together with the compensation allowed per night for such nurses, which endorsement shall be signed by such secretary, with the seal of the Lodge attached.

ATTENTIVE BENEFITS—Nurses.

482. A Lodge or relief committee which provides for nursing its own members by draft cannot hire a nurse for a transient sick brother who is not afflicted with a contagious malady, unless authorized by the Lodge of which such transient sick brother is a member. But it is a sacred duty, enjoined by the principles and laws of the Order, that every Lodge or relief committee must care for a transient sick and disabled brother in the same manner that they care for their own members.

483. No Lodge or relief committee that cares for its members by draft shall be liable for the payment of nurse hire, unless said Lodge or relief committee shall have first authorized the payment of the same.

484. A Lodge shall not be required to pay for nursing its members, when out of its jurisdiction, a sum in excess of the provisions of its By-Laws, or in excess of the sum which the Lodge or relief committee, in whose care the brother may be, is in the habit of paying for such service for its own sick members.

485. A brother is sick and under the care of a sister Lodge; the By-Laws of his own Lodge do not provide for nurse hire; his Lodge did not authorize the sister Lodge to engage a nurse. The Lodge taking care of him cannot legally claim reimbursement from the brother's Lodge for nurse hire. It is a moral but not legal obligation, as the brother's Lodge did not authorize it.

486. A brother was injured in a mine. The Lodge detailed two members to sit up with him at night, but the brother having no one to take care of him during the day, a nurse was hired. A bill was handed to the Lodge for nurse hire. The Lodge did not hire the nurse. The Lodge has no nurse fund. By motion regularly made and seconded, the bill was paid. At the next meeting objection was raised to the bill having been paid. The Lodge did wrong in paying the bill, and the Noble Grand transgressed the law.

487. A Lodge shall not be permitted to provide for non-payment of a nurse for one of its members when out of its own territorial jurisdiction when it provides for hiring nurses for its members who are within its own territorial jurisdiction.

488. Where the By-Laws of a Lodge provide for a nurse for its sick members, it is liable for moneys expended for nurse hire for one of its sick members when away from the territorial jurisdiction of his Lodge.

489. The general law of the Order requires only night nurses to be furnished as "attentive benefits," not day nurses.

490. A lodge which provides for hiring nurses for its sick members, shall not be required to pay for nursing its sick members when beyond its own jurisdiction and in the care of a Lodge or relief committee which does not provide for hired nurses for its own members, unless special request be made by said Lodge to which the sick brother belongs to hire a nurse, or when the sick brother is afflicted with a contagious disease.

491. A Lodge adopted the following By-Law: "Sec. 6. Should any member be so sick or disabled as to need it, the relief committee is empowered to employ a nurse to care for such member during the night, at as reasonable expense as possible, not exceeding the sum of one dollar per night, the same to be paid out of the 'Nurse Fund,' upon orders drawn for the same, for the amount expended." The committee to whom was referred these By-Laws for approval, declined to approve the above provision unless the following clause be inserted after the words relief committee, "or the Lodge under whose care he may be." Under the section as presented by the Lodge to the Committee on By-Laws, the necessity for a nurse was left to the discretion of the relief committee of the Lodge. Under the section as now approved by the Committee on By-Laws, this discretion for brothers of this Lodge who may be sick and under the charge of a distant Lodge is delegated to the Lodge under

ATTENTIVE BENEFITS—Nurses.

whose charge the sick brother may be. To this the Lodge objected. The Committee on By-Laws was directed to approve the By-Laws as submitted to it by the Lodge.

492. The necessity of employing a nurse for a sick brother must, in the first instance, be determined by the Subordinate Lodge to which the sick brother belongs, or by the Lodge in whose care he is at the time. The determination of that question can never be left to the judgment or caprice of a person who is not thereto authorized by the proper Lodge, whether he be or be not, a member of the Order.

493. A Subordinate Lodge which, at no time during the sickness of a brother, is asked to furnish a watcher or nurse, and at no time during said sickness was a watcher or nurse so furnished, either by the Lodge or any of its officers, is not bound to pay a watcher or nurse hire bill otherwise contracted.

494. When the Noble Grand and Secretary were, under the local law, authorized to employ nurses for sick members, and so employed a nurse for a sick member who was in arrears for dues fifteen months, the Lodge is bound for such nurse hire, and cannot under the law refuse to pay the same.

495. A brother is ill, and by order of his physician is removed to a hospital so that he will be properly cared for; his Lodge has a nurse fund, raised by assessment equally on all members, for the purpose of supplying a trained nurse, instead of the brothers being called on to sit up with him. It depends upon the local law as to whether or not the Lodge has to supply a nurse for the day time or only at night time, if the disease is not contagious.

496. The law does not require a Subordinate Lodge under whose By-Laws watchers are furnished at $1.50 per night, to pay such an amount when the brother is in a hospital, and not sick enough to require the attention of one nurse, the rules of the hospital not allowing anyone but their own nurses to care for patients, and only one nurse at night in a whole ward. The purpose of the law is to provide for an expense necessary to be incurred by the employment of a nurse. The amount of $1.50 per night for a nurse is not a gratuity to be paid by reason of the fact that the brother is sick, but to meet a necessity. A brother in a hospital, not sick enough to require the attention of a nurse, and nursed under the rules of the hospital, by the nurse of the ward, it is not incumbent upon his Lodge to pay the $1.50 for something he never got, or which was not required.

497. It is not a legal appropriation of Lodge funds to pay his wife, or any other member of a brother's family for nursing him during his illness.

ATTESTATION.

498. When the laws of the Order require a document to be signed by the officers of the Lodge, it must have the signature of the Noble Grand and Secretary, in addition to the seal, to make it authentic.

499. When a Lodge has two Secretaries, and the law requires the signature of the Secretary to attest or accompany that of the Noble Grand, it means the Recording Secretary, as he alone can attest anything for or on behalf of the Lodge.

500. When visiting cards or official certificates are issued, the Noble Grand and Financial Secretary will sign and the Recording Secretary will affix the seal. In the case of a Visiting Card the Recording Secretary will make the necessary endorsement concerning the relief to which the brother is entitled in case of sickness or death and will attest this endorsement.

ATHEIST.

501. Belief in the Supreme Being, the Creator and Preserver of the universe is essential to membership in this Order. An athiest is therefore disqualified. Denying the existence of God renders a person ineligible for membership.

AUDITING COMMITTEE.

NOTE.—A correct audit should include—

1. *The Dues Account*, that is to say, the total dues coming to the Lodge during the term. This can readily be accomplished by treating every member who was on the books at any time during the term as chargeable with one full term's dues, be it 26 or 27 weeks, No matter how brief a part of that period he may have actually been in the membership, and also without regard to when or how he got in or out of membership. Then by allowing credit for the total number of weeks dues necessary to be deducted in order to cover the time when the dues of the members who came in or went out during the term were not chargeable to them during the term, the balance will represent the actual amount of dues that either should have been collected by the secretary or remain charged on the books against the members of the Lodge.

2. *The Fees Account*, or all initiation, dispensation fees, fines, and the like chargeable during the term, and an examination of the accounts to see that they were charged and liquidated.

3. *The Investment Account*, particularly as to the receipts from investments and all expenditures in connection therewith.

4. The Individual Accounts, or a comparison of the cash receipts of the Secretary with the credit entries made by him in the members' individual accounts.

5. The total payments made by the secretary to the treasurer and a comparison thereof with the secretary's total receipts.

6. The total receipts and payments made to and by the treasurer.

7. An actual inspection of the money due the Lodge by the treasurer as shown by the treasurer's account, or of a balanced hand-book showing the same balance in bank, if the moneys of the Lodge are deposited in bank to the treasurer's account as "Treasurer of the Lodge."

8. An inspection of the deeds, securities and other evidences of investments made by the trustees for the Lodge, which should be in the hands or keeping of the treasurer.

9. A clear concise report to the Lodge of the audit in order that all the members may be made fully acquainted with the financial operations of the Lodge.

If a Lodge should desire a form for Auditing Committee's Report in accordance with the above, a sample copy can be obtained by a request to the Grand Secretary for same

502. The committee appointed on the last night of the term to audit the accounts of the Secretary and Treasurer shall report at the next stated meeting of the Lodge, under such penalty as the By-Laws may determine.

503. The Constitution imposes on the Noble Grand the duty of appointing this committee, and therefore the By-Laws cannot regulate in any way the selection or appointment thereof.

504. All committees appointed to audit the accounts of the Secretary and Treasurer must require a voucher for every payment made, and carefully compare the same with the entries upon their books; and in examining the Secretary's books, in addition to the duties above described, they must compare the amounts credited to each member on the ledger with the entries on the cash book of the Secretary.

505. A Lodge had a By-Law making it obligatory on the Noble Grand-elect, on the night of his election to appoint the Auditing Committee. This By-Law is a violation of the Constitution for Subordinate Lodges, and is therefore null and void.

506. The Auditing Committee can only take cognizance of the members' account as they appear on the books at the closing of the Lodge at the last stated meeting of the term, the same being election night.

AUDITING COMMITTEE.

507. The Treasurer and Trustees of the Lodge are bound, when it is so demanded by the Auditing Committee, to exhibit to said committee the Lodge moneys in their hands, or the evidence of their deposit.

508. The Auditing Committee appointed by the Noble Grand on the last night of the term does not hold over until their successors are appointed. The Auditing Committee, after making the financial and statistical report required by the Constitution, to the satisfaction of the Lodge, should be discharged.

509. A Lodge may at any time investigate the books of the Secretary and Treasurer after the semi-annual Auditing Committee has made its report, committee discharged, and said report approved by the Lodge. The Lodge has a right at any time to examine the books of the Secretary and Treasurer by a special Auditing or Investigating Committee appointed for this purpose.

510. A Lodge has no legal right to pay the Auditing Committee for auditing the books at the end of the term.

BALL.

See Application for Permission to Use Name of Order. Regalia. etc.

511. A masquerade ball held under the auspices of a Lodge, is not necessarily an affair which may scandalize the Order. It depends on the character and surroundings of the ball.

512. The consent of the Grand Master must be first obtained before a Lodge can hold a ball, and he has the right to interdict the wearing of regalia on such occasions.

BALLOT.

(a.) General Rules.
(b.) For Membership.
(c.) In Other Cases.
(d.) Reconsideration.

(a.) General Rules.

513. Balloting by ball or ticket is a secret mode of voting, so designed that the vote of one member should not influence that of another, but that every one should vote according to the dictates of his own conscience, free from all external influence. And it is a violation of the laws of the Order to go into an investigation as to how any one member voted.

514. In balloting it is not legal to have balls and cubes of the same color, the cubes of the same color as the balls, to take the place of and to be considered as black balls. While it has been held that the use of a black cube satisfies the requirement for the use of a black ball, yet the distinction and difference in color between the negative and affirmative votes cannot be disregarded. White balls and black cubes would answer the requirements of the law.

515. It is a brother's right to vote a secret ball ballot. The other brothers who may vote upon a ballot have no right to show their votes, for the secrecy of the ballot would thereby be necessarily destroyed. To endeavor to discover how a brother has voted on a secret ballot, for the purpose of bringing odium on him, is an offence of itself. That cannot be done by indirection, which is directly forbidden.

516. It is the right of a brother to vote a secret ballot, and he has not the right to conceal or expose the character of his vote at pleasure, except that in the case of a voluntary motion of all those who cast black balls against an applicant for membership for a reconsideration of the ballot. In such case it is lawful for such brothers to expose the character of their vote.

BALLOT—General Rules.

517. In balloting when there is a tie, the Noble Grand does not have the casting vote.

518. If a member openly avows having blackballed a candidate, and states the reason for so doing, should the allegation prove malicious or improper, the member may then be subject to the action of the Lodge.

519. In balloting for initiatory or other degrees, it is permissible for the ballot box to be carried to the chairs of the Noble Grand and Vice Grand only.

520. At the close of a ballot, the Warden must present the box to the Vice Grand, who shall inspect the vote and announce to the Noble Grand whether the ballot is favorable or unfavorable.

521. A ballot is closed when it is so declared by the presiding officer.

522. The Vice Grand is simply to say, "Noble Grand, the ballot is favorable," or "Noble Grand, the ballot is unfavorable." If there be one black ball in the case of an application for admission by initiation; or, in the case of an application for admission by Withdrawal Card or Dismissal Certificate, or to transfer membership, there are no more than two black balls; or, in the case of an application for reinstatement, there is less than a majority of black balls cast, the Vice Grand is simply to say, "Noble Grand, the ballot is favorable."

523. The Warden will then present the box to the Noble Grand, who will inspect the vote, and proclaim the result to the Lodge and its effect upon the application.

524. It is the duty of the Noble Grand to supervise all ball ballots and declare the result. The Vice Grand may assist in the examination of the ballot, and make known the result of his examination so far as to state whether the ballot is favorable or unfavorable. The Noble Grand alone has the prerogative of deciding the result of a ballot.

525. It is the duty of the Noble Grand to supervise all ball ballots and declare the result. Grand Jurisdictions subordinate to the Sovereign Grand Lodge may authorize their subordinates to enact By-Laws that the Vice Grand may assist in the examination of the ballots, and make known the result of his examination, so far as to state whether the ballot is favorable or unfavorable. The whole matter is left to local legislation, except that the Noble Grand alone has the prerogative of declaring the result of the ballot.

526. A Noble Grand who may make a mistake in announcing the result of a ballot, and immediately afterwards perceives the error, has a right to correct it at the time, and before the ballot box has been put aside.

527. When, upon a ballot, the number of black balls required by the law to reject are cast, the applicant shall be declared to be rejected; and it is not lawful for the application to be referred for further investigation, and a new ballot at some future meeting. Nor can a law provide for a second or third ballot, on a given number of black balls being cast on a preceding ballot, the law being well established that but one ballot and one reconsideration of the same can be had on application for membership in a subordinate.

(b.) For Membership.

See Investigating Committee.

528. A ballot must be had upon an application for initiation, whether the report of the committee be favorable or unfavorable.

529. An application for membership may be withdrawn without the permission of the Lodge, before the report of the committee thereon is read to the Lodge, but not afterward.

BALLOT—For Membership.

530. Every member of a Lodge has a right to deposit his ballot upon each individual application for membership, and a collective ballot would be an infringement of his right.

531. If the report is recommitted to the committee, it is then too late to withdraw the name of the candidate.

532. When an application for membership is received by a Lodge and referred to a committee, it cannot be withdrawn from the committee, which is the direct creature of the Lodge, possessing no power further than that of inquiry and recommendation or disapproval,etc. One of the first principles of parliamentary law is that a committee is the creature of the appointing body, and must report its acts to the body creating it, unless otherwise authorized by such body.

533. When the candidate has been balloted for and declared elected the ballot cannot be reconsidered, or a reballot be had, upon the allegation that there were no black balls in the box from which the members must procure them, even though the allegation be true. There can be no reballot where it has been declared favorable, except in case of unworthiness or of error or fraud.

534. When a ballot for membership is had and an insufficient number of black balls appear to reject the applicant, the ballot cannot be deferred until the next meeting.

535. In balloting upon an application for initiation and membership, one ballot in the Third Degree, if favorable, elects to the initiatory and three Degrees, without further action, in regular succession.

536. A ballot upon an application for initiation, the balls being all white, or only one black ball appearing, the candidate is elected; but two or more black balls reject.

537. A Lodge cannot compel the Noble Grand to give the number of black balls cast.

538. In balloting on an application for membership, should there be but one ball placed in the box, and that a black ball, the candidate shall be declared rejected.

539. A Grand Lodge has no power to authorize its Grand Officers to grant a dispensation to reballot in case of a rejected application for membership.

540. In a ballot upon an application for membership on card, or on a Dismissal Certificate, the balls being all white, or only two black balls appearing, the applicant is elected; but more than two black balls reject.

541. What constitutes good moral character is left to local action, and is generally to be determined by the vote of a Lodge in the reception of a candidate.

542. It is not improper for the members to discuss openly, in the Lodge, the character, fitness and standing of an applicant for membership.

543. A member of a Lodge, who was suspended for non-payment of dues, applied for reinstatement to active membership, paying the required fee therefor, which application was properly referred to a committee, two of whom reported favorably, the other being sick and not at the Lodge-room. A ballot was taken, which resulted in a majority of the ballot being favorable, and the Noble Grand declaring the candidate "reinstated." A discussion then arose, and the character and fitness of the applicant was freely questioned, when a motion was made to take a new ballot. Objection was made to the second ballot and the legality of the same raised, but the Noble Grand allowed the motion for a new ballot, which was carried, and the second ballot taken, when the Noble Grand declared it unfavorable and the applicant "not rein-

stated." The question was raised whether the right to a reballot applied to an application for reinstatement. Held that the discussion in open Lodge of the fitness of an applicant for admission or reinstatement is one of the sources of its protection from bad material, and the law which allows a reballot in so prompt a form for such a cause is one of the privileges which, granted to Lodges, should not be taken away without the weightiest reasons.

(c). Ballot in Other Cases.

544. In a ballot upon an application for restoration to membership of a brother who has been suspended for non-payment of dues, a majority of the ballots is decisive.

545. In a ballot upon the report of a committee upon charges as to the guilt or innocence of the accused, a majority decides.

546. In balloting to prescribe the punishment to be inflicted upon a member found guilty of a charge, a majority of the votes cast will determine a fine or suspension, but to expell, it will require a two-thirds' vote of the members voting.

547. In a ballot upon the application of an expelled member to be restored to membership, two-thirds of the votes cast are necessary to reinstate, provided permission from the Grand Lodge or the Board of Grand Lodge Officers be first obtained.

548. It is competent for a Grand Body to legislate for the expulsion or suspension of a brother for cause by a vote by ball ballot or otherwise.

549. In a ballot upon an application for the degrees, three or more black balls reject the application of a member initiated prior to July 1, 1882. In no case can the ballot which rejects the application for a degree be reconsidered unless all the brothers who may have cast the black balls shall voluntarily ask for a reconsideration of the ballot.

(d.) Reconsideration of Ballot.

550. Where all the brothers who have cast black balls against an applicant for membership voluntarily make a motion for a reconsideration of the ballot, the same may be reconsidered; and in such case, the vote on the reconsideration shall be taken by ball ballots, and if all the balls cast be in favor of it, the reconsideration shall be had; whereupon the application shall lie over until the succeeding stated meeting, when another ballot shall be had with ball ballots, and if the same be unanimously in favor of the applicant, he shall thereby be elected; but if one or more black balls appear in either ballot, the applicant shall be rejected; and in no case shall a reconsideration be had, except on the voluntary motion of all those who cast the black balls; and never more than one motion for a reconsideration in the same case shall be allowed; and provided, always, that such reconsideration shall be had within four meeting nights next succeeding the rejection.

551. The time for a motion to reconsider an unfavorable ballot is not a subject for local legislation.

552. There can be no reconsideration of a ballot expelling a member. A member once expelled is out of the Order, and no motion made to reconsider that vote can be entertained, as he can only be readmitted by complying with the regulations which provide the mode and manner of his reinstatement.

553. The Grand Lodge has no power to authorize its Grand Officers to grant a dispensation to reballot in case of a rejected application for membership.

554. No error or informality will reverse any action, unless it may have affected the result. If the error be such that it can be seen that it could not by any possibility have affected the result, the decision will not be reversed, for the error has done no harm; but if it might by any possibility have affected the result, there is error, and the decision will be overturned.

BALLOT—Reconsideration of Ballot.

555. It is competent for a majority of a Subordinate Lodge, but not for an officer alone, to order a new ballot when an election is either fraudulent or illegal; but where the election is favorable, such order must be made previous to the applicant's initiation. The ordering of the new ballot, in such cases, necessarily involves the abrogation of the former ballot.

556. A ballot by which a candidate was rejected cannot be declared null and void on account of errors committed by several brothers in voting.

557. It is not competent for a Lodge to insert in its By-Laws a provision that a member who may draw a final card shall have the privilege of depositing the same in said Lodge within a specified time by a simple vote of the Lodge, instead of a ballot vote as in the case of initiating members. The laws of the Order clearly provide the way in which a person may regain membership upon card, and a Lodge granting a final card has no more power to depart from that way, when the person holding that card seeks to reunite with said Lodge, than upon the application of a stranger.

558. Where a candidate for membership shall have been elected, and the Lodge, prior to his initiation, shall become satisfied of his unworthiness, it may annul such election and declare it void by a majority of two-thirds of the members present.

559. If a person should be elected a member through an error or fraud (as to health or otherwise), a majority of the Lodge can, previously to his initiation, order a new ballot; but if the fraud be not discovered until after initiation, then the initiate must be regarded as a member, and can only be expelled upon a regular trial.

560. When a ballot has been declared null and void, the proposition and report of the Investigating Committee are again brought before the Lodge for another ballot.

561. Where a ballot has been had, and a candidate rejected, the Noble Grand cannot order a reballot on the ground that several members suppose that black balls may have been voted in mistake.

562. In case illegal ballots are cast for membership in a Subordinate Lodge (such illegality being that the brothers voting upon such application were disqualified by the By-Laws), such ballot cannot be declared void by the presiding officer alone, but may be by a majority of the Lodge, previous to initiation, if the candidate be elected. The ordering of a new ballot necessarily involves the abrogation of the former ballot.

563. After the Noble Grand had declared a candidate elected, the Vice Grand claimed he was mistaken, that there were three black balls cast. The ballot having been destroyed, the Noble Grand, without objection, ordered a new ballot, when the candidate was rejected. Held that, under the circumstances, the Lodge must be presumed to have consented to the new ballot, and that such new ballot was legal.

564. A suspended member is a quasi-member of his Lodge, and therefore the effect of a ballot for reinstatement is only to change his status into that of full membership, and is not such a ballot for membership as is contemplated by the general law regulating reconsideration of ballots for membership. In the absence of any local law prohibiting the same, the ballot for reinstatement can be reconsidered the same as any other pending action of the Lodge.

BARTENDER.

See Saloon Keeper.

565. A bartender is a person who tends bar or waits on customers in a place of any kind or description where intoxicating liquors are sold as a beverage, and to be drunk in the place or on the premises where sold.

566. A brother who carries drink and liquor from a bar to customers in an adjoining opera house is a bartender.

BENEFITS.

See Attentive Benefits. Funeral Benefits. Weekly Benefits.

567. In the payment of sick and funeral benefits and funeral expenses Subordinate Lodges (in the absence of local law or general law), are sovereign, both as to the amount of such benefits and the disposition of the same, so long as the benevolent and charitable features that underlie the institution of Odd Fellowship are complied with and the enactments of their respective State jurisdictions in that connection are obeyed.

BEQUEST.

568. There is no provision that an Odd Fellow can make during his lifetime, or when disposing of his estate, that will keep him in more lasting remembrance by his brothers than to make a gift of real estate or money to one or more of the homes of the Order. No matter how small, he will have thereby indelibly written his name in the records of the Order's most fraternal work, and will be lovingly recalled by hundreds who will partake of his bounty.

569. In making a devise or bequest to either of the homes of the Order, care should be taken to make it in the corporate name of the home, and to aid in the identification, the location of the home should be given.

570. The corporate names and locations of the several homes are as follows:

Odd Fellows' Home of Western Pennsylvania, located at Meadville, Crawford County, Pa.

The Odd Fellows' Home of Pennsylvania, located at Seventeenth and Tioga streets, Philadelphia, Pa.

The Home for Orphans of Odd Fellows of Pennsylvania, located at Philadelphia, Pa.

The Home for Widows and Orphans of Odd Fellows of Pennsylvania, located at Ben Avon, Allegheny County, Pa.

The Odd Fellows' Orphans' Home of Central Pennsylvania, located at Sunbury, Northumberland County, Pa.

Odd Fellows' Home for the Aged and Infirm of Pennsylvania, located at Grove City, Mercer County, Pa.

The Rebekah Home, located at Philadelphia, Pa.

571. Extract from the Laws of Pennsylvania: By Act of Assembly of 29th of April, 1885, a devise or bequest to charitable uses is void unless it is done by Will, and attested by two creditable and disinterested witnesses, at least thirty (30) days before the death of the testator.

572. Form of Bequest of Money:—I give and bequeath unto (here insert name of home, as above) the sum of.....to be expended by them for the general purposes of the Home.

573. Form of Devise of Real Estate:—I give and devise unto (here insert name of home, as above), their successors and assigns, absolutely, all that certain, etc., etc.

574. Form of Devise when there is no last Will and Testament for land only:—I.....of.....County, and State of..... do hereby devise and give to the (here insert name of Home as per Sec. No. 570) located at....., their successors and assigns, forever, that certain tract of land situated, bounded and described as follows: (Here describe the land so devised.) To have and hold the same absolutely for themselves, their successors and assigns, for the uses and purposes for which the said Home

BEQUEST.

was incorporated. In witness whereof I have hereunto set my hand and seal this.....day of....., A. D. 19... Signed and published and declared by the above named testator as and for his devise to said "Home" in the presence of us, who, in his presence and in the presence of each other, at his request, have hereunto signed our names as witnesses.

(Full name.).....

(Seal.)

575. Form of giving money where there has been no Will made:—I,.....of..... County, and State of..... do hereby give and bequeath to the (here insert name of Home as per Sec. No. 570) located at, their successors and assigns.....dollars for the uses and purposes for which the Home was incorporated. In witness whereof I have hereunto set my hand and seal this.....day of.....19... Signed, published and declared by the above named testator as and for his bequest to the said Home in the presence of us, who, in his presence, and in the presence of each other, at his request, signed the same as witnesses.

(Full name.).....

(Full name.).....

(Seal.)

576. Form of giving land or money by making a codicil to last Will and Testament:—I,.....of.....county, and State of....., do hereby make and publish this codicil, to be added to my last will and testament bearing date the.....day of.....A. D.....in manner as follows to wit: I hereby give, devise and bequeath to the (here insert name of Home as per Sec. No. 570) located at.....,their successors and assigns, the following described property: (Here describe land, money or other forms of property to be given to said Home.) For the uses and purposes for which said "Home" was incorporated, absolutely. In witness whereof I have hereunto set my hand and seal this.....day of.....A. D. 19... Signed, sealed, published and declared by the above named testator as and for a codicil to his last will and testament, in the presence of us, who, in his presence, and in the presence of each other, and at his request, signed our names as witnesses thereto.

(Full name.).....

(Full name.).....

(Seal.)

BLIND.

577. A person permanently so blind as not to be able to distinguish persons and things, although in good financial circumstances, cannot be initiated into the Order. "He could not rigidly comply with the obligations which Odd Fellows take upon connecting themselves with the Order."

578. It is a settled principle of the Order that any brother who, by sickness or disability, is rendered incapable of following his usual occupation or otherwise gaining a livelihood, is entitled to benefits. It would seem, therefore, as though there could be no doubt but that any brother who, by sickness has become blind would, prima facie, be entitled to benefits, although his bodily health, in other respects, might be good. The disability in such case is almost total. A blind man is almost helpless. The occupations in which he can engage are few, indeed, and it would be a reproach to our Order if benefits could not, prima facie, be demanded.

579. A member who by sickness or disability has become blind, is prima facie entitled to benefits; nevertheless, if he can reasonably obtain an occupation whereby he can make a living, he would not be beneficial, but this cannot be presumed, but must be made to appear by proper proof of the Lodge.

BLIND.

580. There is no prima facie presumption of right to benefits in favor of a brother who has only partially lost his sight.

581. A brother who is afflicted with a partial loss of sight, and has thereby been incapacitated from following his usual occupation, but being in other respects in good health, is able to carry on, manage and direct another and lucrative business, which enables him to amply provide for the support of himself and family, is not entitled to benefits.

BOARD OF GRAND OFFICERS.

See **Districts.**

582. They shall decide all matters referred by the Grand Lodge to the Grand Lodge Officers; and it shall be their duty to enter, in a book to be kept for that purpose, a synopsis of all subjects so referred, together with such cases as may come properly before them from Subordinate Lodges. And their decisions in every case shall be entered immediately under or opposite the matter to which it refers, and the whole printed with the journal.

583. Resolved, That the Board of Grand Lodge Officers, and their successors from time to time, be and they are hereby created a Board of Trustees to have and take control and custody of all property of all Subordinate Lodges heretofore defunct, or that hereafter may become defunct, in this Commonwealth, for such uses and purposes only as are provided by the laws of the Order; and that the said Trustees and their successors shall have and they are hereby directed and given full power and authority to take into their possession all such property, and to bring suit or suits against any person or persons having in their possession any property and accumulations belonging to the said defunct Lodges for the recovery thereof; and for such purposes they are authorized and empowered to draw on the treasury of the Grand Lodge for the payment of any and all expenses incurred in and about any such suit or suits.

584. Resolved, That all moneys paid out and all property disposed of as having belonged to defunct Lodges, shall be only upon an order, signed by the Grand Master and Grand Secretary of this Grand Lodge. They are authorized and empowered to draw upon the fund for the purpose of the trust when, in their judgment, they may deem it necessary.

585. An account shall be opened, to be denominated the "Defunct Lodge Fund," in which all the cash receipts and expenditures shall be entered, as they may be received or disbursed.

BOND.

586. The form of bond to be taken by a Lodge from its Treasurer, as security for the faithful performance of his duties, was approved by the Grand Lodge in 1892, and can be purchased from the Grand Secretary.

587. Should a Subordinate Lodge require its Treasurer to give bond with a guarantee or indemnity company as surety, it shall pay the premium therefor out of its own funds, but if it is not required, and the Treasurer gives such surety for his own convenience, then he should pay the premium.

BOOKKEEPING.

588. The Grand Lodge may introduce a uniform system of bookkeeping, and compel Lodges to use it.

BORIE'S MANUAL.

589. The Committee on the State of the Order having carefully examined P. G. M. Borie's Manual of Rules of Order and Digest of Parliamentary Law,

BORIE'S MANUAL.

compiled and arranged expressly for use in the various organizations of the Order in this jurisdiction, and being of the opinion that the work will facilitate the transaction of Lodge business and greatly relieve the Grand Officers from deciding the interminable questions submitted to them, we do therefore offer the following: Resolved, That the Manual of Rules of Order and Digest of Parliamentary Law, compiled and arranged by Geo. F. Borie, P. G. M., expressly for the use of members of the Order, be, and the same is hereby endorsed and approved by this Grand Lodge, and recommended to the Subordinate Lodges in this jurisdiction as an authority for the transaction of Lodge business and deciding such questions of parliamentary law as may arise.

590. Therefore in 1894 it was resolved that the Grand Secretary be, and he is hereby empowered and directed to procure from the publisher four hundred copies of said Manual, and to place the same in the list of supplies furnished to Subordinate Lodges.

BRINGING SUIT.

591. A brother was expelled from his Lodge and then commenced a suit to recover benefits, which he claimed his due from his Lodge, which claim was based upon the favorable report of two committees of the Lodge, appointed to specially investigate the claim. His expulsion was reversed, on appeal to his Grand Lodge, and he was reinstated in all his rights as a member. He immediately withdrew his suit, paid all the costs, and began proceedings in his Lodge to secure his benefits. It is inferred, though the report does not so state, that he was expelled a second time, inferentially for bringing the suit, which expulsion was sustained by his Grand Lodge, on appeal. Held that the action of the Grand Lodge should be reversed, and the brother reinstated to full membership.

592. A brother arose in open Lodge and threatened to bring suit against his Lodge to recover certain benefits which he claimed, and also threatened in a written communication the same, unless the Lodge considered the case favorable to him. The brother plead guilty and the committee reported in accordance with the fact, and he was expelled. The appeal admits using the threat as charged, under the excitement of sickness and the treatment he received at the hands of the Lodge, but claims that he did not begin any action at law. There being no law which makes a threat to appeal to the courts an offense, the appeal was sustained and reinstatement directed.

593. A brother, to whom a deceased member owed money, took out letters of administration on his estate, filed his inventory, and sued the widow to collect from her money which she had received from an insurance of his life. the part sued for being declared assets, under the law to pay the debts of the deceased. Held that this constituted no offense. In his effort to discharge official duty there is not sufficient ground for the charge of conduct unbecoming an Odd Fellow. In bringing the action, as administrator, he was discharging a duty that the law and his bond of office imposed upon him for the benefit of all the creditors of the deceased brother, whoever they might be, to be determined and the fund apportioned by the probate judge, should anything be recovered.

594. The tribunals of our Order cannot, and will not, undertake to adjudicate all the pecuniary obligations or differences growing out of civil transactions between members, or Lodges and members. It would be an impossible, as well as an unprofitable, undertaking. There is no law that would prevent either side to any such controversy, when dissatisfied with the decision of the Subordinate or Grand Body, or of the Sovereign Grand Lodge, from resorting to his legal rights in the civil courts under the laws of the land. It would not be beneficial to the individual members, or the Order at large, for the Subordinate or Grand Bodies to attempt the adjudication and settlement of such differences.

BRINGING SUIT.

595. In a subsequent case, where a brother claimed that his Subordinate Lodge owed him $5,123.17, the brother presented a petition to the Grand Lodge, requesting it to inquire into the matter of the disagreement between him and his Lodge, and to give him such relief as he might be found entitled to, and that the Lodge be required to pay him such sum as might be found due him. The point was made that the Grand Lodge is not a court of law to settle financial disputes, and could not enforce its judgment even if it attempted to adjudicate the controversy. It was held that the Grand Lodge had jurisdiction to hear and determine the matter in controversy, being a dispute concerning the payment for the Lodge's hall, and that it was incumbent upon the Grand Lodge to do so.

596. One Lodge may sue another in the civil courts, unless inhibited by its Grand Lodge Constitution, as there is no general law forbidding it.

597. By the general law of the Order, redress for grievances connected with Odd Fellowship should be sought in the tribunals of the Order, and neither a Subordinate Lodge nor a member thereof should appeal to the civil courts until all remedies provided by the Order have been exhausted.

598. The Constitution for Subordinate Lodges providing that if a member commences against the Lodge any proceedings, either at law or in equity, in any court, he shall be amenable to the Lodge therefor, and shall be tried and punished by reprimand, fine, suspension or expulsion, the member is bound by this provision, as it forms his contract with the Lodge.

599. When a brother loses a suit brought against the Lodge in the civil courts, the Lodge has the right to retain accrued benefits as a set-off against a judgment against the brother for costs of the suit.

BUSINESS.

600. All the business of the Subordinate Lodge must be transacted in the Third Degree, or the Degree of Truth. The Lodge shall open in each degree, for the purpose of conferring the degrees, and each degree shall be conferred when it is opened in that degree.

601. All business, except conferring the Initiatory and the First and Second Degrees, must be transacted in the Third Degree.

602. Every Subordinate Lodge, when open, is a Third Degree Lodge, and none other is recognized by our laws. When reduced to the Initiatory, the First or Second Degree, it is the same Lodge, but open for specific purpose only, in a lower degree. The Third Degree Lodge opened at the beginning is not closed, in any sense, except to confer degrees, until formally closed at the end of the session.

BUSINESS DEALINGS.

603. A charge by two members of a Lodge, preferred against a brother for defrauding them by persuading them, as brothers of the Order, to assist him to obtain money, and then neglecting to repay the same out of the receipts from the business they assisted him to engage in, only refers to an ordinary business default, and is not an offense triable by the Order.

604. Lodges have no jurisdiction in settling business matters between members, nor in collecting business debts.

605. No person on being admitted to membership in this Order thereby loses any rights he had in possession as a citizen. His right to protection by the civic authorities is not impaired by becoming an Odd Fellow. The laws of the land and the courts which administer them are the surest and most proper means by which justice can be attained. Especially is this so in regard to civil contracts, frequently involving, as they do, long, intricate and conflicting accounts, requiring close and patient scrutiny and impartial investigation.

BUSINESS DEALINGS.

606. Pecuniary relations amongst brothers which are of a civil nature, do not entail public scandal on the Order, have never been considered the subject of legislation, and ought not to be allowed to vex the Brotherhood. Such matters are of a strictly private nature, and though they may and do oftentimes cause individual trouble and personal enmity, yet they are generally of so delicate a nature that it would be unsafe, ungenerous and injurious to give them prominence and attention in a Lodge.

607. The Order cannot too strongly condemn the practice, on the part of some Lodges, in holding members of the Order amenable to its penalties for a failure to comply with promises to pay pecuniary obligations. Such obligations are generally honestly incurred, and promises to pay them made in good faith, and a failure to do so is more the result of financial misfortune, over which the debtor has no control, than of intentional wrong. All grievances of this character are properly referable to the courts of competent jurisdiction for a full and complete remedy. An attempt to collect debts, or to enforce any kind of pecuniary obligation, through the instrumentality of our code of trials, is subversive of justice and against the spirit and teachings of our Order; unless, however, the obligation was incurred through some false pretence, or the transaction involves some act of personal dishonesty, subjecting the offender to a prosecution and conviction under the laws of the land.

608. All grievances of this character are properly referable to the courts of competent jurisdiction for a full and complete remedy.

609. The tribunals of our Order cannot, and will not undertake to adjudicate all the pecuniary obligations or differences growing out of civil transactions between members or Lodges and members. It would be an impossible, as well as an unprofitable, undertaking. There is no law that would prevent either side to any such controversy, when dissatisfied with the decision of the subordinate, from resorting to his legal rights in the civil courts under the laws of the land.

BUILDING ASSOCIATIONS.

See Halls.

610. "The legislation of the Sovereign Grand Lodge on the subject of building associations, has for its chief purpose the prohibition of the use of the names, symbols, initials or emblems of the I. O. O. F. in connection with Building Associations, which are business enterprises and carried on for profit." This is manifested from the provision as follows, to wit: "Nothing herein shall be construed against or inhibit the building and support of any Temples, Widows' and Orphans' Homes, Asylums, Schools or Halls which are used, or are to be erected and maintained, within the legitimate purpose of the I. O. O. F."

611. That the privilege and purpose contained in the exception just quoted might not be abused, it was wisely provided that any enterprise in the nature of an Odd Fellows' Building Association should first obtain the consent of the State Grand Body of the jurisdiction, and comply strictly with the law, etc. This regulation was intended to secure a twofold object of confining the building enterprise strictly within the purpose of the Order, and keeping it under the control, management and ownership of the Order. In any building enterprise having for its object the providing of an Odd Fellows' Temple or building for the accommodation of the meetings and work of the Order, the Grand Body having jurisdiction, or its executive grand officer in vacation, should see to it that the building is controlled and owned by the Order, through its organization and members, and that it should not partake of a business enterprise for profit. "In other words, the use of the names, symbols, initials or emblems of the Order, in connection with any such enterprise organized for individual profit or speculation, is strictly prohibited." If only

owned and controlled by the organization and members of the Order, the fact that incidentally some portion of the building, not needed by or adapted to the uses of the Order, should be let or used for other purposes, would not necessarily divest it of its character of a building for the Order.

BY-LAWS.

(a). Making and Amending By-Laws.
(b). Approval Necessary Before Effective.
(c). How They May Effect Dues and Benefits.
(d). Proper and Improper By-Laws.
(e). Construction and Interpretation.
(f). By-Laws of the Grand Lodge.
See Amendment.

(a). Making and Amending By-Laws.

612. A Subordinate Lodge has no legislative power, except to make By-Laws for its own internal government.

613. When the By-Laws of a Subordinate Lodge conflict with the laws and decisions of the Grand Lodge or of the Sovereign Grand Lodge, the laws of the higher bodies must be conformed to.

614. The proper rule for guidance in making By-Laws is for the Subordinate Lodge to follow the Constitution provided for Subordinate Lodges.

615. Where the Constitution for Subordinate Lodges directs a provision to be made by the By-Laws, the latter must be the guide in carrying out such provision.

616. The Grand Lodge may frame a model code of By-Laws, and recommend the same to Subordinate Lodges, but cannot compel its adoption. Any regulation it may desire to have uniformly followed by all the Subordinate Lodges in this jurisdiction must be included in the Subordinate Constitution, whereupon all By-Laws must conform thereto.

617. By-Laws can embrace only such additional provisions supplemental to the Constitution as are necessary for the regulation of such affairs, as are left to the discretion of the Subordinate Lodges. It may, however, repeat the name and number of a Lodge, although the same appears in the Constitution and warrant of institution.

618. A Lodge cannot insert in its By-Laws any part of the Constitution or other law of the Order. A Lodge can only make such By-Laws, in addition to existing laws, as it may desire for its government, provided they do not conflict; but it cannot pretend to adopt any law of the Order and call it a By-Law, for the reason that such existing law is already a law governing the Lodge upon the subject, and by inserting the same in the By-Laws would not be making a law, but would be inserting in its By-Laws that which is a law of the Order, which it cannot legally do.

619. A Grand Lodge has no right to interfere with the By-Laws of its Subordinates, when submitted to it for approval, unless they conflict with the Constitution or the general principles of the Order, and it is therefore not responsible for the insufficiency of the language used in said By-Laws, whether construed by the courts or the Grand Lodge itself.

620. A Lodge cannot prefer a claim against the Grand Lodge for the amount of a judgment recovered against it by a widow of one of its deceased members for benefits, which judgment, it is alleged, contravenes one of the By-Laws of the Lodge, regularly approved by the Grand Lodge. It is not the duty of the Grand Lodge to see that all the By-Laws it approves are so drawn as to carry out the object contemplated and to stand the test of judicial construction by the courts of the country.

621. The course pursued by many Lodges is causing the Committee on By-Laws to give more time and labor in the performance of its duties than

this Grand Lodge should expect or require from any of its committees. It is therefore ordered by the Grand Lodge that Lodges when revising or amending their By-Laws, shall hereafter be requested to use the latest printed Revised Form of By-Laws prepared for the use of Subordinate Lodges, said Lodges to be permitted to strike from or to add to such form such provisions as they may deem proper. That hereafter any Lodge revising its By-Laws (except those working in the German language) shall be required to submit its revised Code of By-Laws in a printed form. That hereafter any Lodge amending its By-Laws shall be required, in submitting the same for approval, to submit the Section or Article in the exact language in which it will read as amended.

622. By-Laws can only be amended, modified or repealed in the way designated by the Code of By-Laws itself.

623. Neither the Grand Master, the Grand Lodge, nor a Lodge has the power to suspend a By-Law; the utmost that can be done is to set it aside when it is contrary to law.

624. A Lodge cannot provide, by a resolution, that a designated By-Law shall not be changed for a given period. A member cannot, by the adoption of such a resolution, be deprived of his right to propose amendments to the By-Laws.

625. A Lodge cannot, by the tacit consent of its members, keep in force a By-Law that has been actually repealed or declared illegal.

[NOTE.—The parliamentary procedure necessary to amend the By-Laws or to adopt a new code of By-Laws, will be found set forth in detail under the title *Amendments* and *Committee of the Whole.*]

626. A Lodge cannot suspend the operation of a By-Law, and the Grand Master has no authority to grant permission to do so.

627. A By-Law is legal when adopted at a stated meeting with only ten members present (that being a quorum), notwithstanding 184 members were absent, providing the form of law pertaining to Amendments to By-Laws be complied with. For the adoption of ill-advised laws, absent and present members are equally responsible.

(b). Approval Necessary Before Effective.

628. When the laws of the Grand Lodge provide for the approval by it (or its committee) of the By-Laws of its subordinates, such By-Laws, to have force and effect, must be confirmed in accordance with such laws.

629. Amendments to the By-Laws or new Codes of By-Laws of a Subordinate Lodge take effect from and after the receipt by the Lodge of the approval by the Committee on By-Laws, except when otherwise provided by the Lodge in the By-Laws.

630. The Grand Lodge and the Committee on By-Laws have the authority to withhold approval whenever the By-Laws, in the exercise of their discretion in the matter, do not appear to be in conformity to law, or to the regulations of the Grand Lodge; and however much approval may be accorded a By-Law on its merits, it cannot be sustained or legally approved by the By-Law Committee or the Grand Lodge, when it contravenes an organic or sanctioned law.

631. A Grand Body refused its approval of the By-Laws of one of its subordinates in reference to excusing a Visiting Committee and the vote necessary to order a draft for money on the Treasurer. Held to be an exercise of discretion in a matter in which the Grand Lodge had full and complete jurisdiction.

632. Whenever a Lodge adopts By-Laws or an amendment to its By-Laws, the Article or Section must be written out in full as amended, and two (2)

copies forwarded to the Committee on By-Laws, care of the Grand Secretary, for approval, certified to by the Noble Grand and Secretary, as the action of the Lodge, with the seal attached. Unless so certified, the Committee have no authority to consider the amendments. A copy of the printed By-Laws of the Lodge must also be forwarded, with any amendment thereto. The blanks in the form, when it is used, must be filled in with ink.

633. A By-Law not in accordance with the Constitution for Subordinate Lodges, or the local laws, or the general laws and usages of the Order, although it may have been inadvertently received the sanction of the Committee on By-Laws, is void, and therefore inoperative.

634. A Lodge cannot be permitted to reap any advantage by a law which, at the time of its adoption, is clearly in contravention of the published regulations of the Order, even though it may have been approved by the Committee on By-Laws.

635. The refusal of the Grand Lodge to approve a By-Law of a Lodge is such legislation as will affect a similar By-Law of any other Lodge until such decision is modified or reversed.

636. When a new Lodge frames By-Laws, or an old one requires a reprint, either from exhaustion of copies or change of matter, the Form of By-Laws for Subordinate Lodges adopted by the Grand Lodge should be used. The Committee on By-Laws are not required to approve any not corresponding in titles and arrangement of the articles.

637. Any Lodge revising its By-Laws (except those working in the German language) shall be required to submit its revised Code of By-Laws in a printed form.

638. Any Lodge amending its By-Laws shall be required, in submitting the same for approval, to submit the Section, or Article, in the exact language in which it will read as amended.

639. Lodges offering By-Laws for approval will please take notice that either full codes or amendments must be attested as follows:

This certifies that the foregoing.....By-Laws were considered and adopted at a regular meeting of.....Lodge, No....., held on the..... day of.....19...

.....Noble Grand.

Attest: Secretary.

(Seal.)

640. All Lodges forwarding By-Laws or amendments for approval, are required, after the approval of their By-Laws, to forward to the Grand Secretary's office the printed copy of such approved laws, within thirty days thereafter.

641. It is not the duty of the Grand Lodge to see that all the By-Laws it approves are so drawn as to carry out the object contemplated, and to stand the test of judicial construction by the courts of the country.

642. An appeal from the action of the Committee on By-Laws in refusing to approve of an amendment must be made within thirty days from the receipt of notice of the action of the committee by the Lodge.

(c). How By-Laws May Affect Dues and Benefits.

643. The Grand Lodge fixes the minimum dues and benefits. The By-Laws of the Lodge fix the actual sums to be paid, conforming to or in excess of these rates.

644. The approval by the Grand Lodge of a By-Law of a Lodge fixing a certain reduced rate of benefits, is not a general law, binding on all the Lodges in the jurisdiction.

BY-LAWS—How By-Laws May Affect Dues and Benefits.

645. A Lodge may, by the terms of the Subordinate Constitution, increase its dues by an amendment to its laws. A member who, before the increase, had paid his dues at the old rate and taken an official receipt or Visiting Card, specifying the time to which they are paid, is bound to pay the increased rate.

646. The By-Laws of a Lodge determine whether funeral dues or assessments shall be charged its members.

647. The By-Laws cannot provide, either directly or indirectly, for a suspension of benefits.

648. The By-Laws may provide for a funeral benefit to a brother at the death of his wife.

649. The By-Laws may provide that no benefits shall be paid new members until a certain time after receiving the Third Degree.

650. The By-Laws may provide that no benefits shall be paid for the first week's sickness of a member.

651. The provisions of the By-Laws concerning benefits must be uniform and common alike to all the members.

652. The By-Laws cannot be made retroactive so as to deprive a member of benefits already accrued.

653. When the uniform Constitution for Subordinates specifies how and when members become entitled to benefits a Lodge cannot, by its By-Laws, limit this right as against such Constitution.

654. The reason for this is found in the provisions of the uniform Constitution for Subordinate Lodges in this jurisdiction. That Constitution states clearly who is entitled to benefits, and the Lodges have no right to make By-Laws imposing other conditions than those found in the Constitution. By-Laws of Lodges must not be inconsistent with the provisions of the Constitution. Nor can these By-Laws impose conditions on the receipt of benefits beyond those imposed or permitted by the Constitution.

655. The Constitution for Subordinate Lodges, by stating, in effect, that every member entitled to benefits, shall receive such sum as weekly benefits as the By-Laws prescribe, the member is limited to such benefits as the By-Laws of his Lodge may provide for its members, and none other.

656. A Lodge may provide by its By-Laws that a member taken sick shall not be entitled to benefits anterior to the time his sickness is reported to the Lodge; or it may fix a period of time anterior to notice, during which a sick brother may be entitled to benefits.

657. Under our local law the By-Laws may prescribe different amounts for different degrees as to members initiated under the old work, but not as to members initiated since 1882.

658. The By-Laws may provide for the payment of a larger weekly benefit to sick brothers who are confined to the house than it does to those who are not so confined, provided that under no circumstances it pay less than the minimum benefits required by law, and otherwise conforms to the scale of dues and benefits fixed by the Constitution for Subordinate Lodges.

659. The By-Laws may provide a scale whereby benefits are reduced to the members who have continued to enjoy the beneficial privileges, and unless specially stated otherwise all such By-Laws include previous sickness, and they may provide the reduction shall apply to those who have received a specified number of weeks sickness, whether the sickness was continuous or intermittent.

BY-LAWS—How By-Laws May Affect Dues and Benefits.

660. The By-Laws may, subject, of course, to the provisions of the general law concerning notice, contain reasonable provisions fixing the time when benefits become payable, depending upon notice to the Lodge, and fixing the form of notice as well as the proof of sickness required of an absent member, not in the charge of another Lodge.

661. The By-Laws of a Lodge may provide for the payment of benefits to its members during sickness or disability, "commencing not more than one week anterior to the date at which the same shall have been reported to the Lodge." This By-Law to apply only to members at home, and not to apply to brother's sick away from their homes.

662. The By-Laws cannot make any discrimination in the payment of benefits by reason of the length of time the several members of the Lodge have been enrolled in its membership.

663. A Lodge may legally adopt the following By-Law: "Should the Relief Committee, or any member of the Lodge, believe a brother applying for or receiving sick benefits is not so sick or disabled as to prevent him from following his usual business, or some other occupation by which he can earn a livelihood, the question, by a majority vote, may be referred to one or more physicians, whose decision shall be final." And when adopted, the result of the final judgment of the physician or physicians will be binding on the Lodge as well as on the sick brother.

664. The By-Laws may provide that absent members, not in the charge of another Lodge, shall make application for benefits, say every four weeks, during the continuance of the sickness, and that each application shall be accompanied by a physician's certificate.

665. The By-Laws may provide that a member in arrears shall not be beneficial until a specified time after he has paid his arrears in full.

666. The By-Laws may provide that a member in arrears shall not be beneficial until after he has paid all his arrears in full.

667. The By-Laws may fix a funeral benefit in excess of the minimum prescribed by the Constitution.

(d). Proper and Improper By-Laws.

668. The By-Laws may fix a graduated system of dues; for example, it may require that members shall pay according to their age at admission a rate of weekly dues which will aggregate in yearly payments as follows: From 21 to 35 years old, $6; from 35 to 40, $8; from 40 to 45, $9; from 45 to 50, $10; from 50 to 60, $12.50; this rate of dues to continue during membership. Those who are or become members before such approval to pay $6.

669. It is within the jurisdiction of a Grand Body to approve of the By-Laws of a subordinate which provides for the payment of a higher rate of dues by those whose occupations are of such a hazardous nature as to make them more liable to acident, or by reason of their residing in a locality where the climatic conditions increase the liability to disease, than is required of the members living under ordinary conditions.

670. The By-Laws may permit the Vice-Grand to appoint a minority of all committees, except the Auditing Committee, which the Constitution makes it the duty of the Noble Grand to appoint.

671. The By-Laws may provide for graduated initiation fees, based upon the age of the applicant, which in no case shall be less than the minimum fee directed by the law to be charged.

672. The By-Laws cannot provide that the acting Past Grand shall perform the duties of Chaplain.

BY-LAWS—Proper and Improper By-Laws.

673. The By-Laws cannot provide that firemen or any other members can retire from the Lodge-room in any other manner than that required by the work of the Order.

674. A Lodge cannot legally adopt a By-Law as follows: "Nor can any brother be balloted for except he has been regularly nominated and be present at the time of election or notify the Lodge of nis acceptance of the nomination.

675. Except as to its officers, the By-Laws cannot impose fines for non-attendance at meetings, or make a scale of benefits dependent upon attendance at Lodge meetings.

676. A Lodge can make a By-Law permitting the Vice Grand to destroy the ballot after the result of the vote has been announced by the Noble Grand.

677. The By-Laws may impose a fine for non-attendance at funerals, or for the non-performance of the duties incident to the attentive benefits of the Order, such as night watching with the sick.

(e). Construction and Interpretations of By-Laws.

678. There can be no legal construction or interpretation of any By-Law which makes it retroactive in its operation, except where it may be remedial in character, or where it in no manner interferes with vested rights. For example, a By-Law cannot deprive a member of benefits already accrued and due him, but it may use these benefits to determine the amount of benefits the brother is now entitled to receive under a uniformly reducing scale of benefits.

679. An amendment to a By-Law of a Lodge which is general in its terms and does not specifically except any of its members from its operation is binding upon all the members of such Lodge, when approved by the Grand Lodge or the Committee on By-Laws.

680. Questions of construction as to the meaning of the By-Laws of a Lodge are first determined by the presiding officer of the Lodge, and on appeal from him to the Lodge itself, and an appeal from the Lodge to the Grand Master, in recess, or the Grand Lodge.

681. The By-Laws cannot legally contain a requirement that their construction is to be referred to a committee for decision. Such questions are first to be determined by the presiding officer of the Lodge, and on appeal from him by the Lodge itself. An appeal lies from the action of the Lodge.

682. The By-Laws of a Lodge provided that should a question arise as to the true meaning of said By-Laws, it shall be referred to a committee of five Past Grands, whose decision shall be final. Held to be illegal and contrary to the usage of the Order.

683. The By-Laws cannot legally provide for the dissolution of the Lodge and the surrender of its charter.

(f) By-Laws of the Grand Lodge.

684. The By-Laws of the Grand Lodge, or amendments thereto, are not submitted to the S. G. L. for approval.

685. At one time the Grand Lodge of Pennsylvania submitted an amendment of its By-Laws to the Sovereign Grand Lodge for approval, and they were referred to the Committee on Constitution, who reported that the Sovereign Grand Lodge does not deem the By-Laws of a Grand Lodge, or amendments thereto, a legitimate matter of reference to the Committee on Constitutions. The Grand Lodge of Pennsylvania had leave to withdraw the paper referred to.

BY-LAWS—By-Laws of the Grand Lodge.

686. A By-Law of the Grand Lodge cannot be repealed by a mere resolution. If a resolution be passed, professedly in pursuance of a By-Law, it must presume the By-Law to be valid, and therefore where the resolution conflicts with the plain reading of the By-Law it must control, therefore where the resolution conflicts with the By-Law, it is the duty of the officers and members of the Grand Lodge to follow the requirements of the By-Law.

CANVASSING.

(*See* **Circulars.**)

687. A Lodge may impose by a By-Law a fine as penalty for a candidate canvassing in the Lodge on the night of election, and if the fine is not paid before installation, he will not be clear on the books, consequently cannot be installed. But a By-Law making the act of canvassing a disqualification for office is inoperative.

688. In the election of officers for a Subordinate Lodge it is permissible for one brother to ask another to vote for a certain nominee, while in the Lodge room, unless prohibited by local law or by the By-Laws of the Lodge.

689. Ballots at the election for Grand Lodge Officers headed "People's Ticket," and all papers of an electioneering kind are to be earnestly condemned. It is an introduction into the Order of part of the machinery of politics which cannot be too strongly reprobated. If permitted to continue to be practiced, it will sap the foundations of the Order, and convert the temples dedicated to Friendship, Love and Truth into dens of corruption and hate.

690. The Grand Lodge has the right to forbid the issuance of electioneering circulars by a Lodge or individual member seeking to influence the vote for Grand Lodge Officers.

691. When Past Grands of a jurisdiction vote for Grand Lodge Officers in their respective Lodges, it is not a violation of law for the Secretary of a Lodge, in his individual capacity, to mail a letter or postal card, giving the names of candidates for such office to the other Subordinate Lodges, requesting that such be returned with the result of such vote; and to make such returns public.

692. A brother endeavoring to ascertain the names of those voting for officers, where written ballots were used, is not guilty of an offense under our laws. It is otherwise with respect to balloting on candidates for admission.

693. Candidates for office are prohibited from circulating, previous to an election, any ticket, except those having upon them all the names on regular nomination. Any candidate who shall print, or cause to be printed, circulate or cause to be circulated, any tickets differing from those printed and circulated by the Grand Lodge, shall not be eligible to the office sought.

694. No brother who is a candidate for any elective office in the Grand Lodge shall be permitted to address or send, directly or indirectly, any letter or circular to any Subordinate Lodge; nor shall he be allowed to do the same by the hands of any other person or persons, under the penalty of being excluded from the office solicited. A Lodge, by a committee, may address respectful communications, in sealed envelopes, to the individual Past Grands by name, of his own or other Lodges, recommending one of his own members; but such communications must be strictly confined to such recommendation, and shall not in any way allude to any rival candidate. A Lodge or committee, whether appointed by a Lodge or voluntarily selected, violating these provisions of this section shall be liable to charges, and, on conviction, subject to suspension or expulsion, as the Grand Lodge may determine.

CANVASSING.

695. Circulars addressed to the Secretary of a Lodge, whether directly, i. e., by the candidate himself, or indirectly, it matters not, asking for the names of the Past Grands of the Lodge, and soliciting their votes, are contrary to the laws concerning permissible election circulars, as the Secretary, as such, is bound to present all such matters to the Lodge, when they come addressed to him as Secretary.

CARDS.

(a). General Provision.
(b). Visiting Card.
(c). Withdrawal Card to Sever Membership.
(d). Withdrawal Card to Transfer Membership.
(e). Duplicate Card.

See Official Certificate.
Defunct Lodge Certificate.
Grand Lodge Certificate, Defunct Lodges.
Dismissal Certificate.

See Relief.
Right of Visitation.
Charges.
Application for Membership.
Transfer of Membership.

(a). General Provision.

696. The Sovereign Grand Lodge has prescribed the form of Visiting and Withdrawal Cards to be used exclusively throughout its jurisdiction. All cards must be in the prescribed form and bear the counter signature of the Grand Secretary of the Sovereign Grand Lodge or a fac simile thereof. They must be signed by the Noble Grand and attested by the Secretary of the Lodge issuing the same, and be under seal. They must be signed by the holder thereof on the margin, in his own handwriting, in the presence of the officer communicating the A. T. P. W.

697. A card is complete without the counter signature of the Secretary of the Grand Lodge.

698. In issuing a Visiting or Withdrawal Card, it is mandatory to insert therein the highest rank the brother has attained, whether in Subordinate or Grand Lodge, or Sovereign Grand Lodge. If the form of the card will not admit of it, it must be endorsed on the card, and authenticated by the seal and the signatures of the officers of the Lodge granting it.

699. A card cannot be granted by any other name than the one by which the brother appears upon the books of the Lodge as signing the Constitution at initiation, or by which he has subsequently been permitted to sign the Constitution.

700. The Grand Secretary is prohibited from delivering or transmitting Visiting Cards or Withdrawal Cards or Dismissal Certificates to any person whatever, or to any Lodge, except upon the order, in writing, of a Lodge, authenticated by its seal and signed by the Secretary. Not less than one dollar's worth of cards should be ordered at one time.

(b). Visiting Cards.

701. A Visiting Card entitles the brother holding it to visit Lodges during the life of the card, while traveling or sojourning in States or other places without the limits of the jurisdiction in which his own Lodge may be located. This card also entitles him to all the courtesies of the brotherhood, as well as the benevolent usages of the Order, if he should meet with accident or misfortune. This card likewise entitles him to transfer his membership to another Lodge, in accordance with the provisions of the Sovereign Grand Lodge concerning transfer of membership.

702. A member holding an unexpired Visiting Card shall be amenable to his Lodge for any misconduct.

CARDS—Visiting Cards.

703. A brother holding an unexpired Visiting Card, may visit upon the Annual Traveling Pass Word that was given to him at the time the card was granted, although another may be in force at the time of his visitation; and Lodges can examine the visitor only in the Annual Traveling Pass Word that was in operation at the date of the card, unless the visiting brother should have the Annual Traveling Pass Word in force at the time of his visitation. If not, it is the duty of the Noble Grand to communicate the Annual Traveling Pass Word in force at the time of his visitation.

704. It is the duty of any Subordinate Lodge, Encampment or General Relief Committee of the Order, on application of a brother, and the presentation of a properly certified card, to promptly render the same fraternal sympathy and attention to a traveling or sojourning brother, being sick or disabled, as they would bestow on a sick or disabled brother of their own Lodge or Encampment, and pay such pecuniary benefits as the brother may be entitled to receive from his own Lodge, as shown by the endorsement on his card.

705. When a member of the Order in possession of a Visiting Card from a Subordinate Lodge or Encampment obtains money, either from a Lodge, Encampment or from a Relief Committee, the amount so obtained shall be endorsed upon such card, with the date, and by what Lodge, Encampment, or Relief Committee furnished, attested by the proper officer.

706. The possession of a Visiting Card, the date of which extends to a date later than when the same is presented, properly signed and sealed, is sufficient authority for any Noble Grand, whether his Lodge is located on the continent of North America or elsewhere, upon proper identification, to communicate the Annual Traveling Pass Word.

707. When application is made in writing by a member in good standing, the Noble Grand and Secretary of the Lodge may grant him a Visiting Card during the recess of the Lodge, which action they must report to the Lodge at its next meeting.

708. In granting Visiting Cards no ballot is necessary, but the application must be passed upon by the Lodge. This may be done by a formal motion, made and seconded, and put by the chair, or it may be done by the presiding officer stating that "the card will be granted, if there is no objection." The latter is by general consent of the Lodge, and in such case the card is granted by the action of the Lodge as much as in the former.

709. Upon proper application being made by a member in good standing, a Lodge is bound to grant him a Visiting Card, whatever may be his risk of health or life in a change of residence, or climate and occupation, and to pay him benefits when sick or disabled, wherever he may be located, so long as the card remains in force.

710. Lodges issuing Visiting Cards must state on such cards the amount of weekly and funeral benefits allowed by the By-Laws of the Lodge by which the same are issued, and are liable for any proper relief afforded to brothers holding such cards, by any Lodge, Encampment or Relief Committee of the Order.

711. On the back of all Visiting Cards, in the blank giving information in regard to benefits, is the following: "And care for its members by..... at.....per night." In filling said blanks, the Secretary of the Lodge shall write in the first blank space either the word "nurse" or "appointment," and if the word "nurse," he shall write in the blank space following, the amount paid by his Lodge per night for such nurse.

712. It is the duty of the Secretary of a Subordinate Lodge, when he issues a Visiting Card, to endorse thereon the character of attentive benefits allowed by the By-Laws of such Lodge, and if such By-Law allow the hiring of nurses during sickness, such fact shall also be stated, together with the compensation allowed per diem for such nurses, which endorsement shall be signed by such Secretary, with the seal of the Lodge attached.

CARDS—Visiting Cards.

713. A Visiting Card is an official certificate of the good standing in his Lodge of the member to whom it is granted, up to the time of its expiration. Therefore a Lodge cannot grant a card for a period beyond the time the member's dues are paid, without rendering itself responsible for benefits that may be paid to the holder of the card.

714. A brother in possession of a Visiting Card is not thereby deprived of any rights as a member of his Lodge, or as an officer therein.

715. A brother insane or lunatic cannot visit a Lodge, and therefore does not need the Word; but he requires the good offices of the Order as a sick brother, and these can only be had by a card certifying him to a Lodge where he may temporarily reside. An endorsement on the card of the condition of the brother will be sufficient.

716. A Lodge may grant a card to a newly-initiated member before he may be entitled to benefits, or to a brother who has not taken the Third Degree, or to a brother who has taken the Third Degree but is not beneficial, but after filling up the blanks of the Card, the Secretary must append thereto a statement why the brother is not beneficial, and if the period the card is granted for should extend to the time when the brother may be entitled to benefits, the date when he will be entitled should be given.

717. Brothers of a lower degree than the Third are entitled to Visiting Cards, and to visit on the same, as in their own Lodges in a lower degree; and such cards shall show whether the holders thereof are beneficial or non-beneficial, and if the former, what benefits are allowed.

718. A Visiting Card is to be issued to an absent brother applying for the same in writing.

719. If a brother applying for a Visiting Card or Withdrawal Card be absent from the location of his Lodge, so that he cannot obtain the Annual Traveling Pass Word with his card in person, it shall be the duty of the proper officers, upon the granting of such card, to transmit the same to the Brother, and also to send therewith a letter in the following form:

.....Lodge, No....., of.....State of.....day of.....19..

To the Noble Grand of any Lodge of the I. O. O. F.:

The bearer, Brother....., holding a legal card from this Lodge, dated this.....day of 19.., for the period.....month, is entitled to the Traveling Pass Word for the period named in the card, which please communicate to him, after due examination, whereupon you will either retain or destroy this letter.

....., Noble Grand.

....., Secretary.

(L. S.)

720. A Visiting Card must be signed by the holder thereof, in the presence of the officer by whom the Annual Pass Word is communicated to such holder.

721. A Noble Grand has authority, however, to communicate the Annual Traveling Pass Word to the holder of a Visiting Card showing dues paid in advance, if the card has been signed by the holder prior to its presentation to the Noble Grand.

722. A brother who is sick and non-beneficial cannot receive a Visiting Card as a beneficial member until he recovers from the sickness and becomes beneficial. If he has recovered from his sickness, but is not entitled to benefits under the By-Laws, he may be granted a Visiting Card, but the words "is entitled to benefits from the date of this card," must be cancelled, and the date when he will become beneficial under the laws of the Lodge inserted; provided, that he has paid his dues in advance down to the end of the term for which the card is issued.

CARDS—Visiting Cards.

723. If the By-Laws of a Lodge shall provide that no benefits shall be paid to a member for the first week's sickness, and it shall issue a Visiting Card to a member, the Secretary shall endorse on the back of the card the following: "By the By-Laws of the Lodge issuing this card, benefits for the first week's sickness or disability are not paid;" or, in case the benefits are reduced after a specified time, that fact shall also be stated, and if the endorsement shall be omitted, the Lodge shall be liable for such benefits as may be paid by any other Lodge, according to the face of the card.

724. The want of a statement, setting forth the amount of attentive and pecuniary benefits the brother is entitled to weekly, if sick or disabled, on a Visiting Card, will not exclude the brother holding the card from admission into any regular Lodge.

725. If a card is duly granted and afterwards revoked, the revocation does not absolve the Lodge granting the card from a claim made by a sister Lodge for money advanced in accordance with the face of the card, unless special notice has been previously served upon the said Lodge of the revocation of the card.

726. A member is imperatively required to return a Visiting Card upon its expiration, or earlier, if the object for which it was granted shall have been accomplished; and a new card cannot be issued until the former one be returned to the Lodge, except in the case of a transfer of membership.

727. It shall not be lawful for any Subordinate Lodge to grant to any member a Visiting or Traveling Card who has heretofore applied for and obtained a Visiting or Traveling Card, until such card shall have been returned to the Secretary of the Lodge, or until such brother shall produce satisfactory proof of the loss or destruction of the same.

728. The Visiting Card is not returned to the Lodge issuing it where it has been deposited with the brother's application for a transfer of membership and he has been elected. Then a certificate of his election, signed by the officers of that Lodge, entitles the brother to a Withdrawal Card, if he is free from all charges upon the books of his Lodge.

729. Any brother in good standing may receive, with the consent of his Lodge, a Withdrawal Card, the effect of which is entirely to sever his connection with the Lodge for the time being. The holding of a live Withdrawal Card does not, however sever the holder's connection with the Order, but only with his Lodge, and the severance from the Order in such case is not complete, as he is a quasi-member, and may visit Lodges. Holders of unexpired Withdrawal Cards, although not members in the strict sense of that term, are, as has been said, to a certain extent subject to the jurisdiction of the Order, as these cards may be annulled within one year from their date, but after that they have no force or validity and cannot be annulled. Hence, it follows that holders of expired cards are not members of the Order, nor are they brother Odd Fellows.

(c). Withdrawal Card to Sever Membership.

730. A brother applied in writing for a Withdrawal Card, "with the privilege of deposit." The Lodge granted him a card in the usual form. Being dissatisfied with this, he asked that such permission be given him, or that he be placed back in the Lodge without depositing his card, or, in other words, that he still be considered a member, notwithstanding the card had been granted him. Held that the words used by the brother in his application, "with the privilege of deposit," were simply superfluous; that the card was legal and severed his membership.

731. A brother, who was treasurer thereof, applied to his Lodge for a Withdrawal Card on August 8, and the Lodge deferred action on his application until such time as his books were audited. On September 5, following,

CARDS—Withdrawal Card to Sever Membership.

the Lodge, by ball ballot, granted the Withdrawal Card, to be delivered when his accounts were audited and approved by the Lodge. The books of the brother were not audited or approved until October 2. Held that a Withdrawal Card cannot be considered as granted until it is delivered, when the Lodge withholds it as above mentioned, and until such time the brother is a member of the Lodge, and entitled to all the privileges of membership.

732. There is no law to prevent Lodge members dissatisfied with the officers, each to apply for a Withdrawal Card, and unitedly vote to grant them, for the purpose of applying for a charter for a new Lodge in the same place. (See Readmission.)

733. A Withdrawal Card entitles the brother to the Annual Traveling Pass Word in use at the time of its issuance, and to the privilege of visiting for the space of one year; after that period he cannot be admitted as a visitor, but the card may be received upon deposit at any future period, however remote, by any Lodge to which the brother may desire to attach himself.

734. A Withdrawal Card must be signed on the margin by the brother to whom it is granted, in the presence of the officer who imparts the Annual Traveling Pass Word.

735. An elective officer of a State Grand Body cannot introduce into a subordinate a brother holding an expired Withdrawal Card.

736. Members holding expired Withdrawal Cards or Dismissal Certificates are competent applicants for charters for new Lodges, or for membership in the Order. There is no limit to the age of the card, but the application for a charter must also be signed by a legal number of Third Degree members, who are in good standing, as is evidenced by membership in a Subordinate Lodge, or by holding unexpired Withdrawal Cards.

737. An application for a Withdrawal Card must be made to, and granted by the Lodge, and not to or by an officer of the Lodge. Final cards are granted only by vote of the Lodge, the vote to be by ball ballot.

738. A Withdrawal Card cannot lawfully be granted by his Lodge to a brother while charges are pending against him. For example, where charges were preferred against a brother in a Subordinate Lodge, and the trial committee reported no cause of action; the Lodge sustained the report of the committee, and in due season an appeal was taken to the Grand Lodge. The brother, pending such appeal, cannot lawfully be granted a Withdrawal Card, as until the appeal is settled, the charges are still pending.

739. A brother applied for a Withdrawal Card, which was granted by the voting sign, instead of by ball ballot, as required by law. He died before depositing the card, and his family claimed death benefits on the ground that the card was illegally granted. The Lodge is not liable for death benefits, the brother having treated the card as legally issued. If the card had been deposited in another Lodge, he would have been a member of the Lodge receiving it.

740. The vote by which a Withdrawal Card was authorized cannot be reconsidered or rescinded.

741. If a brother personally applies for a Withdrawal Card, but before it is granted the Lodge adjourns, it is not necessary to renew the application at a subsequent meeting.

742. A Lodge has no right to proceed to a ballot upon an application for a Withdrawal Card until the applicant has settled in full his accounts with the Lodge. If the dues are overpaid when the card is granted, the Lodge is bound to refund the amount.

743. If a brother, who applies for a Withdrawal Card, pays for the same, and also pays his dues up to the date of his application for the said card, he has complied with the law.

CARDS—Withdrawal Card to Sever Membership.

744. When a financial officer of a Subordinate Lodge refuses to settle his accounts and deliver all moneys, books and papers belonging to the Lodge, he cannot, of right, demand a Withdrawal Card; and a Lodge may refuse to grant such card until the brother's accounts are adjusted, and the Lodge is satisfied that he is clear of the books and free from all charges of whatsoever kind.

745. When a brother, properly qualified, applies for a Withdrawal Card, a ballot must be taken upon the application; and the affirmative vote of a majority of the members present shall be necessary to the granting of such card.

746. Any notice reaching the Lodge of a wish to withdraw an application for a Withdrawal Card before a vote has been taken, is sufficient notice to stay further action on granting the card.

747. Should, upon such a ballot, a majority of the members present refuse their consent to the granting of a Withdrawal Card to an applicant therefor, such applicant upon the payment of all dues, and tendering a written resignation of his membership, and not being otherwise disqualified, shall be entitled to receive from the Secretary, under seal, a certificate that he has resigned his membership; and such certificate shall be sufficient evidence that the brother was in good standing at the time of his resignation. Provided, that upon the refusal of a Lodge to grant such Withdrawal Card, the member applying for the same shall have the right of appeal to the Grand Lodge. (See Resignation for form of Certificate.)

748. A Lodge has the right to refuse a Withdrawal Card to one of its members, although application is made in proper form and the applicant is of good moral character and in good standing in the Lodge.

749. The Grand Master cannot compel a Lodge to issue a Withdrawal Card after the Lodge has refused, and given as a reason that they were unwilling to recommend the brother to all Odd Fellows.

750. A vote taken upon a member's application for a Withdrawal Card, and decided in the affirmative, severs such brother's connection with the Lodge, even if he declines to take the card. If charges are not preferred, the Lodge is bound to grant the card; but during the interval between the application for a Withdrawal Card and the vote thereupon, a charge may be preferred, which must be acted upon and settled before the vote can be taken; and a brother may, at any time prior to the vote being taken, withdraw his application for the card.

751. A brother having a Withdrawal Card from his Lodge has ceased to be a member thereof, and is in the same relation to it as with any other Lodge of the Order; which is to say, that within the life of the card he may visit thereon, and he can use it at any time, either before or after it has expired, to deposit with an application for membership. His old Lodge, however, has a certain control over him for one year, unless the card has been deposited elsewhere.

752. A Withdrawal Card may be declared void by the Lodge issuing it for good cause existing at the time of granting the card but not discovered until it has been delivered, or for good cause arising between its granting and expiration; provided this action be taken within one year from the issuance of the card.

753. An expired Withdrawal Card cannot be annuled as it has no vitality.

754. The effect of the annullment of an unexpired Withdrawal Card would be to revoke it, and, instead of expelling the brother from the Order, it brings him back into the Lodge, where, after due notice of the charges against him which have induced the Lodge to abrogate his card, and a fair and impartial trial thereon, he may be expelled or acquitted.

CARDS—Withdrawal Card to Sever Membership.

755. When the holder of a Withdrawal Card has, within a few months after its issue, deposited the same in and thereby became a member of another Lodge, the Lodge issuing such card has no authority to annul it.

756. A Card of Withdrawal may be annulled by a Lodge before the charges are proven and before trial.

757. A brother who is a saloon-keeper or bartender and protected by the fact that he was in the business prior to the adoption of the amendment of the Sovereign Grand Lodge Constitution relating to the subject of qualifications for membership, may take a Withdrawal Card from his Lodge, and if he continues in the occupation and within a year deposits it with another Lodge and applies for membership therein, he may be legally admitted. When a brother who has started in the saloon business since the adoption of the above mentioned amendment to the Constitution of the Sovereign Grand Lodge, applies for a Withdrawal Card, the same can be granted, unless charges have been preferred at the meeting to which the application for Withdrawal Card is made. A saloon-keeper or bartender taking a Withdrawal Card is entitled to the Annual Traveling Pass Word, and may visit upon them one year, though he continues the business.

758. A Card of Withdrawal having been granted to a member of a Lodge, and if, before its expiration, charges are duly preferred against him, and the card annulled and the brother, after trial acquitted, his position in the Lodge is the same as if the card had never been granted.

759. A Withdrawal Card having been granted to an officer upon proper application, if the card be afterward revoked, it does not restore him to his former official position in the Lodge.

760. When a member receives a Withdrawal Card and permits the same to expire by the lapse of twelve months from its date without depositing the same, he is beyond the jurisdiction of any Lodge, or of the Order. The card becomes utterly null, except as to evidence of former membership in the Order. He becomes an Ancient Odd Fellow.

761. A Withdrawal Card is of no value unless the seal of the Lodge is affixed.

762. A Withdrawal Card, the blank spaces of which are written in any foreign language, is as valid as if written in English.

763. A Withdrawal Card is to be granted only by the Lodge of which the brother is a member, and by ball ballot.

764. The Grand Lodge, through the Grand Secretary, can issue a Withdrawal Card to a member of a defunct subordinate who applies therefor within one year of the date of the surrender of the charter of his Lodge, such card covering the right of visitation for one year from the date of such suspension.

765. The Grand Lodge cannot grant a card to a member of a subordinate to enable him to join another Lodge, although the subordinate has not held a meeting for two terms, the charter of such Lodge not having been reclaimed or declared forfeited.

(d). Withdrawal Card to Transfer Membership.

766. Any member of any Subordinate Lodge of the Order, holding a Visiting Card in force, or an Official Certificate showing dues paid in advance of depositing the same, shall have the privilege of applying for membership in any Lodge, without first applying for a Withdrawal Card from the Subordinate Lodge in which membership is held.

767. The above is general law, and therefore the Grand Lodge cannot limit it to those who make a change of residence.

CARDS—Withdrawal Cards to Transfer Membership.

768. Upon the election of such brother by the Lodge to which he shall apply for membership, said Lodge shall notify the Lodge of which he is a member of such election, when, being free from all charges, and the payment of all dues and fees, upon proper application he shall be entitled to a Withdrawal Card. Upon deposit of said Withdrawal Card with said Lodge to which he had been elected, he shall be entitled to sign the Constitution and By Laws, and be received in full membership from such time, upon the payment of the admission fees required by the By Laws of the said Lodge.

769. A member of the Order entitled to a Withdrawal Card, changing his residence from the territorial jurisdiction of his own Lodge to the territorial jurisdiction of another, and desiring to unite with a Lodge at his new place of residence, upon so stating in his application for membership, and being elected by ball ballot, as provided by local law, shall be entitled, upon notice being sent to his old Lodge by the new Lodge, to receive a Withdrawal Card, at the actual cost of the card to the Lodge, and to admission to the new Lodge without being required to pay a card or admission fee, but where a physician's certificate is required, he must pay the expense of the same.

770. Any member of this Order who has been a contributing member twenty-five years, upon change of residence, shall have the privilege of applying for membership in any Lodge at his new place of residence, without first applying for a Withdrawal Card from the Lodge in which he holds membership. Upon election of such brother by the Lodge to which he shall apply for membership, said Lodge shall notify the Lodge of which he is a member of such election, when, being free from all charges and the payment of all dues and fees, upon proper application he shall be entitled to a Withdrawal Card. Upon deposit of said card with the Lodge in which he has been elected, he shall be entitled to sign the Constitution and By Laws, and be received in full membership from such time, upon the payment of the admission fees required by the By Laws of said Lodge.

771. "Change of residence" in the above law of 1880 means from one place to another, without reference to territorial jurisdiction.

772. When application for a Withdrawal Card or Dismissal Certificate is made by the Secretary of the Lodge to which the brother has been elected, in writing and under the seal of the Lodge, authority from the brother to make such application shall be "presumed," in the absence of evidence to the contrary.

773. When an applicant is elected to membership upon deposit of Visiting Card or an Official Certificate, it is the duty of his former Lodge, upon application and in the absence of charges, to grant a Withdrawal Card, and upon refusal of the Lodge to grant the Withdrawal Card, the Grand Master shall direct its issuance by the Lodge.

774. Like every other ballot, whether favorable or unfavorable, a ballot under the above laws cannot be reconsidered.

775. The laws as to transfer of membership by Card do not apply in the case of brothers uniting together and applying for a charter for a new Lodge by means of Withdrawal Cards.

(e). Duplicate Cards.

See Satisfactory Evidence of Former Connection with the Order; Cards, Admission to Membership.

776. A brother who has lost or been dispossessed of a Withdrawal Card or Dismissal Certificate from no cause which should impeach his own conduct, may obtain a new card or certificate, bearing the same date, from the Lodge which granted the original one, the said Lodge being the judge as to the propriety of granting the new issue, and, if granted, expressing on its face that it is a duplicate.

CARDS—Duplicate Cards.

777. Where a Card of Withdrawal, which may have expired, may have been lost or destroyed, the Lodge which issued the same may grant a certificate under seal, setting forth the facts of such original issue, and the certificate so granted may be used in lieu of a card as evidence of previous good standing.

For which the following form may be issued:

.....Lodge, No....., I. O. O. F.
....., 19...

To Whom it May Concern:

This certifies that at a meeting of this Lodge, held this day of....., 19.... Brother.....formerly a member of this Lodge, presented his written petition setting forth that this Lodge had, at the time the said brother severed his connection with the Lodge, issued to him a Withdrawal Card, which said card has expired and has been lost or destroyed, and praying that this Lodge may issue to him a certificate in lieu thereof, evidencing his former connection with the Order and severance of membership, as aforesaid, and this Lodge, after careful consideration thereof, has granted the request of the said brother. Therefore be it known that our said brother....., who attained the Degree, was regularly admitted a member of our Lodge by.....on the.....day of,1...., and that said Withdrawal Card, which has expired and has been so lost or destroyed, was issued to him by this Lodge on the day of, 1....

It witness whereof we subscribe hereto our hands and affix the seal of our Lodge this.....day of....., A. D. 19....
....., Noble Grand.
....., Secretary.

(Seal.)

778. The Grand Lodge may grant a duplicate Dismissal Certificate to a member of a defunct Lodge of the same jurisdiction who has lost or mislaid the original.

779. The Grand Lodge may grant a Defunct Lodge Certificate to a member of a defunct Lodge, who has lost or mislaid his Withdrawal Card, so that he may join another Lodge as an Ancient Odd Fellow.

780. A member of a Lodge at Lawrenceville, now a part of Pittsburgh, took a Withdrawal Card, and is now a resident of South Oil City, in this State; lately the brother, having lost his original Withdrawal Card, applied to his old Lodge for a duplicate Withdrawal Card, which the Secretary, by letter informed the brother that the Lodge, by ballot, refused to grant, and returned the fee of twenty-five cents, for the reason that as he has been out of the Order for twenty-seven years, and being nearly seventy years old, it would only be a burden put on the Order, and should not be. The Lodge was directed to issue a duplicate card.

781. It is not lawful for any Lodge to grant to any member a Visiting Card who has heretofore applied for and obtained a Visiting or Traveling Card, until such card shall have been returned to the Secretary of the Lodge, or until such brother shall produce satisfactory proof of the loss or destruction of the same.

CELEBRATIONS.

782. No public celebrations of any kind may be held in this jurisdiction by the Lodges, or members thereof, without permission having been first obtained from the Grand Master. (See application for the use of the name of the Order; also see holidays.)

CERTIFICATES.

783. A certificate of the Secretary of the Subordinate Lodge of which the applicant is a member, with the seal attached, shall accompany all applications for membership made to an Encampment, and it is the duty of every Secretary to fill out and furnish to any Scarlet-Degree Member, who is in good standing, such certificate upon application therefor. No vote of the Lodge is necessary upon such a certificate. It is fundamental in the Order that no Lodge is required to certify to the good character of unworthy persons, if objection is made. (See Encampment for form of certificate.)

784. A certificate to authorize a brother to receive his degrees away from the location of his Lodge can only be granted by application to his Lodge at a regular session, when open in the Third Degree. (See Degrees for form of certificate.)

785. A certificate to receive the Past Official Degree must be furnished without a vote thereon to all past officers entitled thereto.

786. The Grand Secretary sends to Subordinate Lodges, with other blanks, certificates entitling the Representatives to seats in the Grand Lodge, and Past Grand's Certificates, entitling the Past Grands to admission to the session of the Grand Lodge, and to the conferring of the Grand Lodge Degree. It is the duty of the Secretary to fill up these certificates, sign and seal them, have them signed by the Noble Grand, and send one copy to the Grand Secretary, and to give or send the other to the Past Grand entitled thereto. (See Degrees for form of certificate.)

CHAIRMAN OF STANDING COMMITTEE.

787. The chairman of a committee in a Grand Lodge proceeded to read the report of that committee. After reading a portion of the report, and before concluding same, a motion was made that the further reading be dispensed with, and that the report be adopted. The brother refused to give way for action upon this motion, and continued reading the report. The Grand Master called him to order, directed him to cease reading, and stated the motion to the Grand Lodge. The chairman raised the point of order, that he was entitled to read said report under one of the rules of order of the Grand Lodge, which read as follows: "That no motion can be made while another is speaking." The Grand Master decided the point of order not well taken, and the Grand Lodge sustained him in his decision. From this action of the Grand Lodge an appeal was taken to the Sovereign Grand Lodge, which held that a committee of a Lodge is a creature of such Lodge, and as such, both it and its report are wholly subject to the pleasure of the Lodge, who may dispose of the report (and for that matter, the committee also) as such Lodge may see fit. The chairman of such committee, making for the committee its report to the Lodge, is the mouth-piece of the committee, and is not a "member," speaking within the meaning of the aforesaid rule, which applies to a member and his individual rights arising from his membership of the body, and not to a committee or to committee action.

CHANGE OF RESIDENCE.

788. Change of residence, under the resolution of 1880, relating to transfer of membership, means from one place to another, without reference to Lodge, State or territorial jurisdiction.

789. Change of residence, under the resolutions of 1904, relating to the same subject, as amended in 1906, means from the territorial jurisdiction of his own Lodge to the territorial jurisdiction of another Lodge.

790. The change of residence need not have occurred after the enactment of this legislation of 1904, nor after the date of the Withdrawal Card, but must have been after he joined the Lodge from which he proposed to withdraw. If, residing in the territorial jurisdiction of one Lodge he lawfully

CHANGE OF RESIDENCE.

joins another more distant from his residence, in whose territorial jurisdiction he does not reside, he cannot claim the benefit of this law to alter his choice.

791. A brother who has lived for years away from the territorial jurisdiction of his old Lodge, keeping himself in good standing so that he would be entitled to a Withdrawal Card at any time, concludes finally to transfer his membership to the Lodge in the territorial jurisdiction of which is located his present residence. The new law applies to such a member, without regard to the time at which he changed his place of residence, provided such change was after he became a member of the Lodge he now proposes to leave.

792. A brother who has changed, or shall change his residence, may make application, under said law, at any time after such change of residence; there is no limit in the resolution as to the time within which the application must be made after the change of residence.

793. A Grand Lodge has no right to require a residence for any definite period before a brother can deposit a Withdrawal Card from a sister Grand Jurisdiction.

794. A member who obtains a Withdrawal Card and changes his residence to another Grand Jurisdiction, but has no settled residence therein, cannot, within twelve months of the issuance of the card, deposit it and apply for membership in the Lodge granting it, he not being a resident of the jurisdiction of said Lodge.

CHARGES.

(a). General Principles.
(b). Who May Prefer Charges.
(c). Ex Parte Investigation.
(d). Who May Be Tried.
(e). Where Must the Accused Be Tried.
(f). The Charges.
(g). The Appointment of the Committee.
(h). Charges Against a Lodge or Member of the Grand Lodge.
(i). Effect of Charges.

(a). General Principles.

See Trial, Appeals, Evidence, Testimony, Witnesses.

795. Odd Fellowship is an ethical government, a sovereignty within itself, self-controlling and independent. Within its own prescribed sphere its authority is supreme. Its members acquiesce in the teachings of its faith, and are required to yield obedience to its laws and decrees. Outside of its own boundaries Odd Fellowship never presumes to pass, except in doing good to mankind, for that is the limit of its existence. It punishes the violators of its obligations, yet it has no physical power; all its forces are moral agents. To be declared unworthy of membership by the Brotherhood is the heaviest punishment that the Order inflicts—the greatest degradation that an Odd Fellow can suffer. Love is the central principle by which the Order is governed, the power that gives potency to its resolves. The cohesion of the Order, its perpetuation, depends upon an adhesion to the established principles of its ritual, and its fundamental laws, and upon the incessant recognition by the Brotherhood of the great principle of universal fraternity.

796. A brother cannot be punished by reprimand, suspension (save for non-payment of dues), or expulsion, except upon a conviction by his Subordinate Lodge upon charge duly preferred.

797. As a general rule, a brother cannot be put on trial for an offense said to have been committed prior to his becoming a member of the Order, unless the offense was not previously discovered.

798. The right to an impartial trial is given by the general laws of the Order to every brother.

CHARGES—General Principles.

799. He is entitled to be present when the Trial Committee is being selected, to have such notice of the charges and time of trial as will permit him to properly prepare his defense, and the proceedings of such committee and the action of the Lodge should appear on the records of the Lodge, so that the rights of all interested may be protected. If the record in a brother's appeal does not show that his trial was in conformity with the foregoing, the Sovereign Grand Lodge may sustain his appeal, and instruct the Grand Lodge to require the Subordinate Lodge to proceed to trial of the charges in accordance with the laws of the Order.

800. The entire procedure must be absolutely in accordance with the plain requirements of the trial procedure as laid down in the Constitution for Subordinate Lodges, which points out specifically the course to be pursued to investigate a member's conduct, and these laws should be followed.

801. It is the right of the accused to know specifically what offense he is charged with, to the end that he may prepare a specific defense.

802. The laws established for the administration of the affairs of Subordinate Lodges in matters of this character point out specifically the course to be pursued where a member's conduct needs investigation. These laws should be followed, as any other course, however just it might appear for the time being, can only lead to uncertainty, if not confusion, and failure in administering the principles of substantial right and justice.

803. A Lodge cannot require a member, when charges are preferred, to appear in the Lodge, before trial, and plead guilty or not guilty of the charges. The acknowledgment of guilt, if made, must be the voluntary act of the member charged.

804. A brother against whom charges are preferred, has the right to be heard, personally or by counsel, on the question of law as to whether the charges preferred constitute an offense.

(b). Who May Prefer Charges.

805. While it is the right of any member of the Lodge to which the accused belongs, having knowledge or information concerning the brother's conduct which is unbecoming an Odd Fellow, to lay such charges before the Lodge, there is no law which makes it compulsory upon him to do so.

806. It is the duty of the brother cognizant of the violation of obligation on the part of a member to bring charges against the offender. There is no law specially requiring any officer of a Lodge, as such officer, to prefer charges. In the event of a brother having personal knowledge justifying the preferring of charges, and the said brother being the only reliable and important witness, he shall have the charges preferred by any brother willing to do so, to the end that his evidence could be made available at the trial.

807. In the absence of any local regulation upon the subject, a member of one Subordinate Lodge or Encampment desiring to prefer a charge or charges against a member or members of another Subordinate Lodge or Encampment, shall present such charge or charges in the usual form to the Subordinate Lodge or Encampment of which he (the accuser) is a member. Said Lodge or Encampment shall forthwith forward to the Lodge or Encampment to which the accused may belong a certified copy of the charge or charges over the signatures of the Noble Grand and Secretary, or Chief Patriarch and Scribe, and attested by the seal of the Lodge or Encampment, and the Lodge or Encampment to which such charge or charges shall be sent shall proceed to hear and determine the same in like manner as if preferred by a member of its own body.

808. A brother holding an unexpired Withdrawal Card retains the right to prefer charges for unworthy conduct against a member of his Lodge during the year for which said card extends.

CHARGES—Who May Prefer Charges.

809. If a brother violates the general law or local law of the Order in such a manner as to be liable to a penalty fixed by that law, and if the Lodge of which the brother is a member knows of the violation of the law, its duty is to prefer charges against the offending brother.

810. If a member shall violate the laws of the Order by becoming a saloon-keeper, the penalty to be inflicted upon an Odd Fellow who becomes either a saloon-keeper or bartender, contrary to the law of our Order, and who, at the time of his conviction, continues in such business, is expulsion; but if the offending member has, prior to his conviction, in good faith discontinued such business, then the penalty is such as may be determined by the trial Lodge. In case no one volunteers to prefer charges, the general law does not make it the duty of any particular member to prefer charges. If the local law does not regulate or provide by whom charges are to be preferred, then the duty would specially devolve upon the Noble Grand, and in the event of his absence or inability, then the Vice-Grand should perform such duty. In the absence of any local regulation, any member of the Lodge having knowledge of such violation would be authorized to prefer charges.

811. When charges are to be preferred against the Noble Grand of a Lodge, they are properly placed in the hands of the Vice-Grand. to be brought before the Lodge, but there is no reason why any brother may not prefer such charges.

812. When the Grand Master has knowledge that a Lodge has a member, admitted since 1895, who was and is in the saloon business, he can get him out by notifying the Lodge, through its officers (in case some member does not do the same), to prefer charges against the brother, based on the fact that he continues in the saloon business. The fact that the member thus admitted was ignorant of his ineligibility to membership, and made no concealment of his business, makes no difference. He is liable to charges, under which he will be liable to expulsion.

813. It is proper for a Lodge to report to the Lodge granting a Withdrawal Card any conduct on the part of the holder calculated to injure the Order in the eyes of the community at large.

(c). Ex Parte Investigation of Charges.

814. A subordinate cannot appoint a committee to investigate rumors regarding the conduct of a brother in good standing, prior to charges being preferred against him, and report to the subordinate. The report of such a committee that the evidence warranted them in saying that the brother had been guilty of conduct unbecoming an Odd Fellow is more than an ordinary accusation founded upon ex-parte testimony, and is a proceeding unknown to and unwarranted by the laws of Odd Fellowship.

815. An investigation of rumors respecting the charge and conduct of a brother in good standing, prior to charges preferred, and against his wishes, is forbidden.

816. Owing to certain rumors afloat, a Grand Master called a meeting of a Grand Lodge, at which a committee was appointed "to examine the books of certain Lodges, and ascertain whether the laws of the Order had been violated in the matter of charges for initiations and degrees." The report of the committee was adopted, recommending that a committee examine the books of the Lodge, take testimony, etc. Held that the action of the Grand Lodge was unconstitutional and in conflict with the general laws and usages of the Order, on the ground that the Grand Body has not the right to appoint a committee to enter a Lodge and take its books for examination, and to take testimony concerning certain rumors affecting some of its subordinates, it being a well-defined principle that charges must always be first presented against the offending Lodge or Lodges, before investigation can, by a committee, be had concerning the acts and doings of a Subordinate Lodge. The books of a Lodge cannot be interfered with in this manner.

CHARGES—Ex Parte Investigation of Charges.

817. In a case where the Grand Master was informed that at the election of Grand Officers in a Lodge, the conduct of the officers and members was such, that if true, it would amount to corruption and fraud; the Grand Master reported what he ascertained to the Grand Lodge. No charges were preferred by the Grand Master or any one else; the Grand Lodge appointed a committee to make a thorough and exhaustive investigation of the condition of affairs referred to in the Grand Master's report, and to report speedily their findings, together with such recommendations as to them may seem proper. It was held that a Grand Lodge in the exercise of its supervisory power, and being charged with the maintenance of the fair name of the Order within its jurisdiction, would, even in the absence of specific charges against Lodges, or individuals, have the right to investigate statements and information submitted to it by the Grand Master, and tending to bring the Order into disrepute. To hold otherwise might prevent the Grand Lodge from exercising its proper supervision, and from obtaining such information as might be necessary to be secured in order to ascertain who the offending parties are, and to enable proper charges to be preferred. A committee appointed for the above purpose would not have the power to compel the attendance of witnesses, nor the production of books or papers belonging to a Subordinate Lodge. The case of Emmons vs. the Grand Lodge of the District of Columbia, where it was sought to clothe the committee with privileges here denied it, is not inconsistent with this finding. In that case the claimed power of the committee, and not its right to exist, was denied. Ex parte evidence in such case can only be used as a basis upon which to prefer charges. It would be incompetent upon a trial of the Lodge.

(d). Who May be Tried.

818. Charges may be preferred to a Subordinate Lodge against one of its members for conduct unbecoming an Odd Fellow, wherever the offense may have been committed, whether in a Rebekah Lodge, Encampment, or elsewhere.

819. It is not within the jurisdiction of one Lodge to try the members of another Lodge.

820. No member of the Order, by becoming Grand Master, or holding any other office, becomes entitled to immunity from the laws of Odd Fellowship, but is subject thereto the same as any other individual.

821. Charges may be brought against a member who has an application for a Dismissal Certificate before his Lodge after five years from the late of suspension.

822. Pending the discussion on the granting of a Withdrawal Card, charges may be preferred against the brother making application therefor, and under such circumstances the vote on granting the card should not be taken until the charges are withdrawn or a trial has been had upon them.

823. A suspended member may be arraigned and tried without first being reinstated; but when arraigned for trial and punishment he must be temporarily admitted to the Lodge for the purpose of making his defense, without being restored to rights of membership.

824. If a card shall have been indiscreetly granted to an unworthy brother, the Lodge may annul it, taking care to allow to the brother implicated a fair and impartial trial, as in the case of suspended members against whom charges are preferred. The effect of the annulment of a Withdrawal Card (which can only be done during the twelve months in which such card has vitality) would be to revoke it, and instead of expelling the brother from the Order, it brings him back into the Lodge, where, after due notice of the charges against him, which have induced the Lodge to abrogate his card, and a fair and impartial trial, he may be expelled or acquitted.

CHARGES—Who May be Tried.

825. When charges are preferred after a Withdrawal Card is granted, and the card is annuled and the brother brought to trial and acquitted, his position in the Lodge is the same as if the card had never been granted.

826. An Ancient Odd Fellow cannot have charges preferred against him in the Lodge to which he formerly belonged, as he is in no way connected with that Lodge or the Order, his relationship to it being simply that of a former member who has retired honorably and completely severed his membership.

827. A Dismissal Certificate cannot be annuled; the holder is not a member of the Order and cannot be tried in the Order.

828. If charges have been preferred against a brother prior to, or at the time of the presentation of his resignation of membership, he cannot resign until the charges are legally disposed of.

829. Charges cannot be preferred against a brother whose resignation has been received by his Lodge before charges are presented.

(e). Where Must the Accused be Tried?

830. The Subordinate Lodge to which the accused belongs is the proper tribunal to try all cases of delinquency, when the charge is cognizable under the law.

831. An Encampment should not assume jurisdiction to try a brother for words spoken in a Subordinate Lodge, if the words spoken are only subject of charge because offensive to the Lodge for being spoken therein. But if the words spoken are offensive in themselves, if they evidnece conduct "unbecoming an Odd Fellow," or the like, acquittal or conviction by the Lodge affords no bar to a prosecution and trial in the Encampment. Although the act may be single, the offense may be several, and the place where the offense is committed must generally be immaterial.

832. There is no such rule in the Order as "to change the place of trial of the brother." He must be tried in the Lodge where he is a member and where the charges are preferred. No other Lodge has jurisdiction in the matter.

833. All charges against members of the Order in this jurisdiction, made pursuant to the Constitution for Subordinate Lodges, should be drawn as follows, and be signed by a member in good standing. The general charge shall be an averment of "conduct unbecoming an Odd Fellow," followed by a specification, or specifications, stating the time, place and circumstances of the offense, and each offense shall be the subject of a separate specification.

(f). The Charges.

834. The following or some similar form may be used:

CHARGES.

.....,19..

To.....Lodge, No....., I. O. O. F.:

The undersigned, a member of.....Lodge, No....., I. O. O. F., under the jurisdiction of the Grand Lodge of the State of Pennsylvania, I. O. O. F., hereby charges Brother....., a member of.....Lodge, No...., with having been guilty of conduct unbecoming an Odd Fellow, as more fully appears in the following

Specifications:

First—the above named....., in violation of the laws of the Order, did on or about the.....day of.....19.. (here state the offense, place and other circumstances, and if there are other offenses, continue with Specifications Second, etc.)

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835. The charges having been presented and accepted, it is the duty of the Secretary, at once, to send an attested copy thereof to the accused, and to notifl him of the time when the Trial Committee will be appointed, which must be fixed by the Lodge at a stated meeting not less than one week after the charge has been preferred.

836. When charges are preferred they must be signed by the brother who makes them in his proper name.

837. Charges must be certain and definite, not vague, uncertain, indefinite, and allege no specific offense.

838. The following charges were preferred against a member of a Lodge: "I charge Brother P. to have abused the laws of our Lodge, viz: First—To have misused the benefits of this Lodge. Second—To have been seen at work several times during his sickness." Held that the charge and specifications, were vague, uncertain and indefinite, and alleged no specific offense.

839. Charges must contain definite specifications and otherwise conform to the prescribed procedure. The following were the specifications under a charge of "Conduct unbecoming an Odd Fellow," preferred against a brother, viz: "1. Abuse of his family; 2. Calling his wife and daughter vile names; 3. Defaming the names of brothers." No names, dates or other particulars were given. Held that these specifications were too general in their nature, and not sufficiently explicit or definite.

840. The words "Misdemeanor, fraud or conduct unbecoming an Odd Fellow," are general terms, and are too vague and uncertain to place any one upon a defense; the specific thing said or done must be set out clearly, so that the alleged offending member may know what charge he has to meet, and that impartial minds may be able to judge whether the act complained of does constitute an offense against the laws of the Order.

841. The charge must specify some offense under the laws of the Order.

842. In 1898 the Grand Master reported the following decision: 3.—At a regular meeting of the Lodge, charges were read, and at the following meeting a motion to quash the charges was adopted. On an appeal, I decided that there is no law by which charges can be quashed. The Constitution says that a committee of five shall be appointed. Where, however, it appears that the charges, even if proved, could not be sustained under the laws of our Order, the Noble Grand should refuse to entertain them. The question of the sufficiency is a question of law to be decided by the Noble Grand. The Grand Lodge disapproved that part of the Grand Master's decision which stated that the Noble Grand should pass upon the legal sufficiency of the charges, and decided that charges being presented, the Trial Committee must be appointed and the charges referred to them, according to the provisions of the trial procedure, as set forth in the Constitution for Subordinate Lodges.

843. A Lodge is required to entertain a charge against one of its members brought by a member of another Lodge, if the charge be in regular form, and be properly attested. If the Lodge refuse to entertain the charge, or to try the accused, it is then the duty of the Grand Master, on being informed of the facts by the accuser, to require the Lodge to do its duty in this regard. (See who may bring charges.)

844. There is no law or usage by which a Grand Patriarch, in his official capacity, can prefer charges to a Subordinate Lodge against one of its members; charges should be preferred as a member of the Lodge to which the accuser belongs, and transmitted by his Lodge to the Lodge of the accused.

845. A Grand Master is not under obligations to forward charges presented to him by a Grand Patriarch against a member of one of his subordinates, or to become an accuser, but if the Lodge to which the charges are transmitted from the Lodge to which the accuser belongs refuses to entertain them or to try the accused, it is then the duty of the Grand Master, on

CHARGES—The Charges.

being notified of the facts by the Grand Patriarch, or the accuser, to require the Lodge to do its duty in that regard.

846. The charge and specifications shall be presented and read to the Lodge at a regular session, when open in the order "New Business," and shall be entered in full on the records.

847. The Secretary of the Lodge will at once hand or forward by mail to the member complained of a copy of the charges, duly attested, together with a notice of the stated meeting of the Lodge at which the Trial Committee will be appointed.

848. For this purpose, the following form may be used:

.....Lodge, No.....
.....19....

To.....

Sir and Brother:—You are hereby notified that on this.....day of....., 19.., charges and specifications were preferred against you and filed in this Lodge, of which an attested copy is herewith enclosed.

You are also notified, in pursuance of the requirement of the Constitution for Subordinate Lodges, that a committee of five, to try said charges, will be appointed at the stated meeting of this Lodge, to be held on the.....day of....., 19... It is your privilege to be present when the said committee is appointed.

.....Secretary.

(Seal.)

(g). The Appointment of the Committee.

849. At the next meeting of the Lodge, after the charges are presented, it must clearly appear that the accused either personally received his copy of the charges and notice of the meeting from the Secretary, or that this officer at once mailed them in a registered letter to him to his regular address, which appears on the Lodge books, as the accused is entitled to be present in the Lodge when the Trial Committee is appointed.

850. If the accused brother fails to appear at the time when the committee is to be appointed, he shall be deemed to have waived his right to challenge, and the Lodge shall proceed to the choice of the committee, as provided by the By-Laws of the Lodge.

851. Where a brother, with charges pending against him, is mailed a copy of the charges by registered letter to his last known address, and the letter is returned to the Lodge, it should, nevertheless, proceed with the appointment of the Trial Committee.

852. To uniform Code of By-Laws for Subordinate Lodges contains the following provision concerning the appointment of the Trial Committee: "The committee provided for in the Constitution shall be appointed as follows: The Noble Grand shall appoint two members, the Vice Grand shall appoint two, and the member against whom the charge is preferred may appoint one; but should he fail or decline to do so, the odd member shall be appointed by the Noble Grand.

853. The accused may waive the right of requiring the committee to be appointed at the next stated meeting of the Lodge, and his waiver of this right will be presumed where a motion is made in his presence, at the meeting when the Trial Committee should have been appointed, that the appointment of the committee be laid over for one week.

854. While a Lodge cannot require a member, when charges are preferred, to appear in the Lodge before the appointment of the committee, and plead guilty or not guilty of the charge, nevertheless, if he voluntarily comes to the Lodge and pleads guilty of an unworthy action, he may avoid a trial, and it is not necessary to proceed to trial.

CHARGES—The Appointment of the Committee.

855. The practice in Pennsylvania has been to consider the plea of guilty as equivalent to the report of the Trial Committee finding the accused guilty, and the proceedings from this point are then resumed according to the requirements of the law, by deferring or laying over the consideration of the plea for one week, at which time the proceedings are followed out according to the requirements of the Subordinate Lodge Constitution; first, affording the accused an opportunity to be heard in his own defense; then motion made to accept the plea, followed by the motion fixing the penalty. This brings the controversy to final judgment in the Lodge, from which judgment the accused or the prosecutor, or, in the case of acquittal, any member in good standing in the Lodge has an appeal, according to law.

856. A charge having been preferred against a brother, and notice of the same and of the time for the appointment of the Trial Committee having been sent to the brother, according to law, he appeared in the Lodge and voluntarily pleaded guilty in open Lodge. The consideration of the matter was thereupon laid over for one week, when the Lodge, by ballot, upon his plea of guilty, suspended him for one year. The brother appealed, and claimed that he had been given no trial, nor an opportunity to defend himself. The appeal was dismissed, and the action of the Lodge approved, for the reason that the brother, having plead guilty in open Lodge, waived a trial.

857. A Past Grand under charges is not entitled to have a committee composed entirely of Past Grands to try the charges against him.

858. The Scarlet is the highest degree in a Subordinate Lodge, and one of that degree is the peer of any other member of the Lodge, and qualified to sit on any Trial Committee selected by the Lodge.

859. The Noble Grand cannot be appointed one of the committee on the trial of charges.

860. Neither the Noble Grand or Vice Grand are eligible to be members of a Trial Committee.

861. The By-Laws may specify the manner of appointing the Trial Committee.

862. A man, even though he be a brother Odd Fellow, should not be permitted to sit as a juror in his own case.

863. It is error to nominate a Trial Committee from the floor of the Lodge, when the By-Laws require such committee to be appointed by the Noble Grand.

864. The Vice Grand cannot appoint a Committee of Trial, although ordered to do so by the Lodge, when the By-Laws provide that the Noble Grand shall appoint.

865. Objections to the members of the Trial Committee cannot be passed upon by the committee. They must be passed upon by the body appointing them.

866. No officer who is any way related to the accused, or directly interested in the outcome of the trial, can legally appoint the Trial Committee, or preside over the Lodge and conduct the proceedings during the trial.

867. If it should appear that there is no member of the Lodge eligible to fill the Noble Grand's chair, but who is either related to the accused or directly interested in the outcome of the trial, the Lodge may ask a Past Grand of some sister Lodge, who is not interested or related, to preside at the trial.

868. The Trial Committee cannot be appointed, in whole or in part, by an officer who is the member accused in the charges.

CHARGES—The Appointment of the Committee.

869. On the meeting night set for the appointment of the committee, the Lodge shall, immediately after the reading of the charges, proceed to the appointment of the Trial Committee.

870. Any brother nominated or appointed as one of the Trial Committee may be challenged for cause by the accuser, accused or any member of the Lodge, in which case the Lodge shall, by vote, determine as to the sufficiency or non-sufficiency of the challenge.

871. The same committee can be appointed to act on separate cases of charges, but each case must be tried separately. Both cases can be tried on the same day.

872. On the trial of a member of a Lodge before a committee an irregularity in the appointment of the committee under the By-laws is waived by the appearance of the accused, who, having knowledge of the irregularity, does not object thereto.

873. The Trial Committee having been appointed, the Recording Secretary should certify, under seal, the original copy of the complaint and specifications, and place them in the possession of the first named member of the Trial Committee, together with a notice of the appointment of the Trial Committee.

874. The following, or similar form of notice, may be used:

.....Lodge, No....

.....19...

To.....

Sir and Brother:—The brothers named below were this evening appointed a Trial Committee on the complaint charge and specifications preferred against Brother.....

As the temporary chairman of such committee, you will, within one week, call a meeting of said committee for organization. The committee consists of....., and you will please notify the other members of the committee of their appointment.

....., Secretary.

(Seal.)

875. The committee having met and organized, will fix a time for the hearing, naming a date that will certainly give the accused ten full days' notice of the time and place of the meeting. (See Trial.)

876. "If it should appear that one of the Committee on Charges cannot be present, whose duty will it be to fill the vacancy? When charges were made the Noble Grand appointed three and Vice Grand appointed two of committee." Even if the By-Laws of Lodge prescribe that the Vice Grand may appoint a minority of all committees (except Auditing Committee), the Vice Grand exercised that prerogative when the committee was originally appointed. It is the Noble Grand's province to fill all such vacancies. If the By-Laws of the Lodge are silent as to such appointments, the Noble Grand can appoint all members of committees, if he so desire.

(h). Charges Against a Lodge or Member of the Grand Lodge.

877. The proceedings in a case of charges against a certain Lodge, probably the most carefully litigated which ever came before the Grand Lodge, and which appears in the Journal of the Grand Lodge for the years 1880 and 1881, sets out, in the fullest details, all the procedure to be taken where Lodges or members are charged in the Grand Lodge with the commission of an offense.

878. Where no charges were preferred and no opportunity given a Lodge to answer charges, if any had been preferred, the Grand Master has no right to deprive the Lodge of its charter. But in case of persistent disobedience to his mandate, the Grand Master may suspend a refractory Lodge until the case is tried and determined by the Grand Lodge.

CHARGES—Charges Against a Lodge or Member of the Grand Lodge.

879. A Lodge cannot be suspended from all rights by action of its Grand Lodge, without an opportunity to make answer and defense to charges preferred; but action, suspending a Lodge temporarily, pending a trial upon charges duly preferred, such trial to be promptly given, is warranted by law. When such suspension, without charges, trial and opportunity to defend, is intended as a final disposition of the case, it is contrary to the law of the Order.

880. Where a Lodge refuses to obey the mandate of the Sovereign Grand Lodge, and pay the benefits required to be paid it by the decision of the Sovereign Grand Lodge, the Grand Master of the jurisdiction to which the Lodge is subordinate may demand and take away its charter; which would, however, only amount to a suspension, as the Grand Master would be bound to report the matter to the Grand Lodge. Hence it would be the right practice to appoint a Trial Committee to hear the case and report to the next session. In the Laura Vane Rebekah Lodge case the Grand Lodge of Pennsylvania sustained the Grand Master where, under most unusual conditions, that would not stand repetition, the Grand Master took away the charter of the Lodge, and no trial was held.

881. There being no specified number of members stated in the By-Laws of the Grand Lodge as constituting the Trial Committee, it would be within the power of the Grand Lodge, or the Grand Master to refer the matter to the "Committee of the Whole."

882. Where charges are made in the Grand Lodge against a Lodge or a member, or an officer thereof, the Grand Lodge may indefinitely postpone the charges. This is an exercise of its power as a Grand Lodge where it has full and complete jurisdiction. The Grand Lodge may lay charges on the table.

883. The Grand Lodge can expel a member from its own body only, but it may require the Subordinate Lodge of which he may be a member to try him for a violation of the law, usages or customs of the Order.

884. The Grand Lodge has no power to appoint a committee of the Grand Lodge to try a brother of a Subordinate Lodge. It may, however, order a Subordinate Lodge to try a brother, and to the order the subordinate must yield obedience.

885. A provision in the Constitution of a Grand Body that no officer shall officiate in the Grand Body during the time of his trial, is illegal.

886. A Grand Lodge cannot try and expel a member at a special meeting, not called in accordance with its Constitution. A trial is of no effect when no specifications or charges of any specific kind are contained in the notice of the meeting sent to the accused.

(i). Effect of Charges.

887. The proposition that "a member under charges and during the investigation thereof by the Lodge is under a state of suspension, and cannot participate in the work of his Lodge," is subversive to that well-known principle that a man is presumed to be innocent until he is proved guilty. The only effect of undecided charges is to deprive the member of the right to take a Traveling or Visiting Card, and, when the charges bear upon the right to benefits, to suspend the payment thereof until a final decision. A member cannot resign from a Lodge while charges are pending against him and thus avoid trial.

888. Charges were preferred against a brother for representing that he was unable to do work of any kind, while he had been assisting his wife in doing housework and in the tailoring business, and on the trial he was acquitted. Held that having been acquitted of the charges, he was entitled to the benefits withheld on account of the charges.

CHARGES—Effect of Charges.

889. A member of a Lodge was charged with fraud, etc. He failed to appear before the Trial Committee, and the committee resolved to report him guilty of contempt, but before the report was made the brother died. He had not been summoned to appear and answer a charge of contempt, no such charge having been preferred against him. He left a widow, and at his death was in good standing, and the By-Laws provided that the widow of a brother who was in good standing at the time of his death shall receive certain monthly benefits, and also be entitled to funeral benefits. Held that in this case the charge did not bear upon the right to benefits, and that the Lodge had no right to refuse to bury the deceased brother with funeral honors, and was liable for the payment of the benefits prescribed by the By-Laws.

890. An officer is not suspended from the performance of his duties during the pendency of charges against him, except so far as these duties may have a relation to the charges, such as the appointment of the whole or a part of the committee to try them or any action upon the report.

891. It is illegal to provide in a Constitution or By-Laws that an officer shall be suspended from the performance of his duties during the pendency of charges against him, or that no officer or member shall officiate in the Lodge during the time occupied with his trial.

892. It is improper to require the Past Grands of a Lodge, or its Representatives to retire from the session of the Grand Lodge during the discussion of charges against the Lodge brought by appeal.

893. A Lodge has a brother against whom charges are about to be presented for conduct unbecoming an Odd Fellow. The son of the brother is the Noble Grand, and all the Past Grands of the Lodge are either related or directly interested in the trial. Held it will not be lawful for the son to preside, appoint the Trial Committee, and conduct the proceedings during the trial, and no Past Grand related to the accused, or directly interested in the trial, could lawfully preside at the trial. Therefore, under the circumstances, it would be competent to ask a Past Grand of some sister Lodge, who is not interested, to preside at the trial.

894. Charges were presented against a Grand Master while he was in the chair, under the guise of a privileged question, and were ruled out of order. The Grand Master, not being under charges, had the right to decide this question; but a Grand Master cannot, by his rulings, prevent the presentation of charges altogether.

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See **Institution of Lodge, Surrender of Charter, Consolidation of Lodges.**

895. According to general law, at least five of the petitioners must be Third Degree members in good standing. The remaining petitioners may be brothers of the Third Degree holding expired Withdrawal Cards, or who have resigned from the Order, or holding Dismissal Certificates, as the case of each may be. They need not necessarily be members of any Lodge, as they are in good standing, within the meaning of the law, if they hold unexpired Withdrawal Cards.

896. The petition for a Subordinate Lodge must be signed by five Third Degree members in good standing. This is the general law, without exception.

897. The term "brothers of the Order in good standing," must be construed to include brothers holding unexpired Withdrawal Cards; and as the By-Laws of the Grand Lodge require the signatures of ten or

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more brothers of the Third Degree, and as "brother Odd Fellows" are only those who are in full affiliation or holding unexpired Withdrawal Cards, it follows that all the petitioners must be Third Degree members, in good standing.

898. A charter cannot be granted to petitioners, all of whom are holders of Dismissal Certificates, but they and holders of expired Withdrawal Cards may join in a petition for a charter with ten holders of unexpired Withdrawal Cards, and thus become charter members. Resignation severs membership instantly and totally, and Dismissal Certificate is simply evidence of resignation. Holders of unexpired Withdrawal Cards, although not members in the strict sense of that term, are, to a certain extent, subject to the jurisdiction of the Order, as these cards may be annulled within one year from their date, but after that they have no force or validity, and cannot be annulled. Hence, it follows that holders of expired cards are not members of the Order, nor are they brother Odd Fellows, and the same is true of holders of dismissal certificates.

899. The petitioners must have been regularly initiated into the Order, for the purpose of becoming applicants for a charter. A Subordinate Lodge, by general law, has no authority to receive applications for membership, refer, elect, initiate and confer the three degrees the same night for the purpose of qualifying them to form a Lodge.

900. It is legal for State Grand Bodies to adopt a law authorizing the institution of Lodges upon the petition of five Third Degree members in good standing, or upon the application of twenty persons eligible to membership in the Order. All laws in conflict with this law are repealed.

901. Any Grand Lodge may adopt legislation, that, whenever a petition is presented to a Grand Master or Grand Lodge praying for a charter for a Subordinate Lodge, and such petition conforms to the requirements of the jurisdiction as to petitions for new Lodges, and the Grand Master or Grand Lodge finds that the peititon is not signed by the required number of Scarlet Degree members with cards, then said Grand Master or Grand Lodge may issue a commission to five or more Scarlet Degree members of such jurisdiction, authorizing them to open a temporary Lodge, and to ballot for, initiate and confer the degrees on not less than five of said petitioners, who, after being elected, initiated and having received the degrees, shall receive the charter and become the charter members of such new Lodge. In the event of the petition being presented to the Grand Master during recess, his warrant shall only authorize such new Lodge until a charter is granted by the Grand Lodge, unless the local law shall otherwise provide.

902. The following form of petition for a charter should be used:

To the Grand Lodge of Pennsylvania:

The petition of the undersigned, whose Withdrawal Cards or Dismissal Certificates, from Lodges legally recognized by your body, accompany this petition, or who request admission into the Order, and who enclose herewith the charter fee required by your body,

Respectfully represents:

1. That it would be consistent with the advantage of the Order to institute a Subordinate Lodge, to be located at....., County of....., State of Pennsylvania, to be hailed as.....Lodge, No., under your jurisdiction.

2. That in consideration of such admission we severally promise and agree, that if elected we will conform to the Constitution and By-Laws of the Lodge, for the institution of which we are now petitioners, also those of the Grand Lodge of Pennsylvania and of the Sovereign Grand Lodge of

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the Order, and we will seek any remedy for all rights on account of such membership or connection therewith in the tribunals of the Order only, without resorting for their enforcement in any event or for any purpose to the Civil courts.

Wherefore, your petitioners pray that a Dispensation or Charter may be granted, in accordance with the laws of your honorable body.

This is also to certify that each of the petitioners has donated five dollars to a common fund, to be paid into the treasury of the new Lodge, when instituted, as an absolute and unqualified gift to the new Lodge; and it is to be used in defraying the expenses of starting the Lodge, so that the Lodge may start with as little debt as possible.

Dated at....., this.....day of....., 19..

903. The Grand Officers, or the Grand Lodge have an undoubted right to refuse to grant an application for a charter.

904. The Grand Lodge may provide by law for conferring the three degrees of a Subordinate Lodge upon five or more initiatory Odd Fellows desiring to form a new Lodge of Odd Fellows, to enable them, or any of them, to petition for a Subordinate Lodge in a locality where no Subordinate Lodge is in operation within a distance of ten miles from the location of said proposed new Lodge.

905. Whenever a petition is presented to the Grand Master or the Grand Lodge, praying for a charter for a Subordinate Lodge, and such petition conforms to the requirements of this jurisdiction as to petitions for new Lodges, and the Grand Master, or the Grand Lodge find that the petition is not signed by the required number of Scarlet Degree members with cards, then the Grand Master may issue a commission to five or more Scarlet Degree members of this jurisdiction, authorizing them to open a temporary Lodge, and to ballot for, initiate and confer the degrees on not less than five of said petitioners, who, after being elected, initiated and having received the degrees, shall receive the Dispensation and become the charter members of such new Lodge. Provided, however, that this shall not be done unless the Lodge is being instituted by an elective Grand Officer, and in the event of the petition being presented to the Grand Master during the recess the Dispensation shall only authorize such new Lodge until a charter is granted by the Grand Lodge."

906. The commission to the five Scarlet Degree members of the Order to confer the initiatory and three degrees upon the petitioners for a charter may be in the following form:

Whereas, certain persons, members of the Order, former members of the Order and others who desire to become members of the Order residing at....., in the County of....., in the State of Pennsylvania, have by petition requested to be enabled to open a Lodge of Odd Fellows at the place aforenamed, and have produced to the Board of Grand Officers who have granted their petition sufficient testimony of the necessity for and likelihood of success of a Lodge located as above mentioned, as well as of their personal desirability as members of the Order, and

Whereas, The said petition discloses that the said petitioners do not have among their members ten Scarlet Degree members with unexpired Withdrawal Cards, or who are severally in good standing in a Subordinate Lodge as required by the general laws of the Order and the provisions of the Constitution and By-Laws of the Grand Lodge of Pennsylvania.

Therefore, I....., Grand Master of the Grand Lodge of Pennsylvania of the Independent Order of Odd Fellows, and the jurisdiction thereunto belonging by virtue of the power and authority in me vested do by these presents hereby authorize and empower....., together with....., who will institute said Lodge at....., in

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the County of....., State of Pennsylvania, to open a temporary Lodge at the time of the institution of said Lodge and to ballot for, initiate and confer the degrees upon not less than five of said petitioners, according to the most ancient and honorable custom of our Order, and these having received the degrees shall, together with the other eligible petitioners, receive the charter and become the charter members of such new Lodge.

And....., to whom the Commission to institute said Lodge is intrusted, should I not institute said Lodge myself, will make full and immediate report hereunto annexed of his proceedings, and will see that a copy of the same, together with this Dispensation, is firmly affixed to the minutes of the first or instituting meeting of said Lodge to the end that the proper record may be had of the making of any Odd Fellows in pursuance of this Dispensation for the purpose as stated aforesaid.

This Dispensation to remain in force for three months from the date hereof and no longer.

Given under my hand and seal of the Grand Lodge, I. O. O. F., of the State of Pennsylvania this.....day of....., one thousand nine hundred and....., and of our Order the.....

....., Grand Master.

....., Grand Secretary.

The following is the form of return of service:

To the Grand Secretary of the Grand Lodge of Pennsylvania, I. O. O. F.:

Dear Sir and Brother:—Pursuant to the requirements of the within Dispensation on this.....day of....., 19.., I proceeded to....., in the County of....., State of Pennsylvania, and, assisted by Brothers....., opened a temporary Lodge, and balloted for, elected, initiated and conferred the First, Second and Third Degrees upon the following named petitioners for a Lodge at said place:

NAME.	AGE.	RESIDENCE.	OCCUPATION.	REMARKS.

and who, having been elected, initiated and received the degrees, together with the other eligible petitioners became the charter members and received the charter for....., No., I. O. O. F.

The original of this return of service, together with the original Dispensation, I affixed to the minutes of the first, or instituting meeting of said Lodge, and a duplicate I hereby forward to you.

....., Instituting Officer.

We hereby certify that the above is a correct return of service:
.....,
.....,
.....,
.....,
.....,
} Scarlet Degree members to whom the original Dispensation issued.

NOTE.—The return of service will be printed in duplicate.

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907. In a petition for a charter for a subordinate, the names therein must agree exactly with the names in the cards presented with the petition. The law of "no variation" must apply. No person can be admitted to visit a subordinate whose name does not agree with that on the card. After the granting of a charter the name of a petitioner cannot be omitted from such charter, although he has been expelled from the Order between the time of the institution and the issuing of the charter.

908. The charter of a Subordinate Lodge, being a confirmation of matters of record, as contained in the warrant, it is not within the province of a Subordinate Lodge or Grand Lodge to change or vary the record of facts contained in said warrant when the charter is issued.

909. There is no general law requiring the consent of existing subordinates to the establishment of new Lodges in their vicinity.

910. When a new Lodge is instituted, its membership is composed of those only who present themselves and assume before the instituting officer the obligation required by our laws. The absentees can only regain admittance by withdrawing their cards from the hands of the Grand Officers and applying in the usual mode for admission to membership by card.

911. The requirement of the production of a card or certificate from a brother joining a Lodge upon its institution cannot be waived by the Grand Master, the Board of Grand Officers or the instituting officer.

912. A new Lodge cannot legally be instituted on Sunday.

913. A newly instituted Lodge must be opened by the instituting officer in the Third Degree.

914. A brother withdrawing from his Lodge for the purpose of establishing, with others, a new Lodge, and failing to appear when the Lodge is instituted, cannot be considered as one of the charter members. If he wishes to join that or any other Lodge, his card must be presented regularly, and he must be balloted for according to law.

915. A brother out of the Order by Withdrawal Card for one year nine months and twenty-six days working to get up a Lodge, and becoming a charter member, is not entitled to the Honorable Veteran Jewel after fifty years of service covering the above period.

916. It is not legal to make a Constitutional provision that a member who may draw a final card shall have the privilege of depositing the same in his old Lodge within a specified time by a simple vote of the Lodge, instead of a ballot vote as in the case of initiating members. The laws of the Order clearly provide the way in which a person may regain membership, and a Lodge granting a final card has no more power to depart from that way when the person holding that card seeks to reunite with the Lodge, than upon the application of a stranger.

917. In 1874 the question was asked whether this law applied to a case wherein a member may draw his final card for the declared purpose of establishing a new Lodge, and takes a Withdrawal Card from it; he offers the card for deposit in his own Lodge within a specified time from the date of his withdrawal therefrom? The answer was that the decision referred to is in accordance with the general principle that in no case can a Lodge adopt a By-Law for the admission of members by deposit of card in any different way from that pointed out by the general law, viz, by an application referred to a committee and ballot, as in case of an original application for membership.

918. It is illegal for the Grand Lodge to provide that when a member withdraws his card for the express purpose of instituting a new Lodge, he can return his card and hold his former standing in said Lodge without the least loss, and this is the only case where he can return without regular form of deposit of card; and if he remains in the new Lodge an unreasonable

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time the contract is violated on his part, and he cannot be readmitted to his former standing without the consent of the Lodge. It is at variance with the By-Laws of the Sovereign Grand Lodge, which provide that no person shall, at the same time, hold membership in more than one Grand or Subordinate Lodge.

919. The Committee on the State of the Order of the Sovereign Grand Lodge said that they are satisfied that with great propriety a distinction should be made in cases where a Withdrawal Card is obtained and especially intended to be used only for the purpose of application for a charter for the institution of a new Lodge. Here whilst the brother voluntarily relinquishes his position of membership, it is to accomplish a purpose for the advancement of the Order, attainable through no other channel. But our law admits of no distinction, and the event could only be accomplished by legislation.

920. A member of a Lodge applied for a Withdrawal Card for the express purpose of establishing a new Lodge. The Lodge was instituted. The brother applied to the new Lodge for a Withdrawal Card, which was granted. He then came to his original Lodge and deposited his card, which was accepted without being balloted for by, or fee being paid to his old Lodge. All this took place within a few weeks of the first application. The brother paid dues and was taken sick. It was held that not having come back by deposit of card, petition and the paying of the fee prescribed by the By-Laws, he had not been legally admitted to membership in his old Lodge, and was therefore not entitled to benefits.

921. When certain members of a Lodge were dissatisfied, they induced others to join with them in an agreement to get Withdrawal Cards for the purpose of organizing a new Lodge, and got them to sign a paper to that effect. They then went to the Lodge, applied for cards and voted on the applications, and at that meeting, being in the majority, the cards were granted. The Lodge must issue the cards as voted, the cards having been applied for and granted in due form for the purpose for which they were applied for, namely, the organizing of a new Lodge, was not unlawful. It is not within the province of any one to inquire into the motives that actuated those members in doing what they had a legal right to do.

922. A Grand Lodge is not compelled to issue a charter to a Lodge working under a dispensation issued by the Grand Master in vacation. The refusal of such a charter by the Grand Lodge terminates the existence of the subordinate body.

923. It is purely discretionary with the Grand Lodge to grant or refuse to grant the prayer of petitioners for a charter for the resuscitation of a Subordinate Lodge. And when the Grand Lodge has refused to grant such a charter, or to revive a Lodge, it is not within the power of the Grand Master or the Board of Grand Officers during the recess of the Grand Lodge to act upon the petition or grant or revive the charter. And in case they should do so, the charter would be void and of no force or effect.

924. The Grand Master received a petition from ten members of the Order with Withdrawal Cards, asking for the institution of a Lodge. This petition was referred to the Board of Grand Officers. Upon the unanimous consent of the Board of Grand Officers the Grand Master issued to the petitioners a Dispensation in the usual form, and instituted the Lodge under the title of Progressive Lodge, No.——, I. O. O. F. Subsequently the Grand Master, upon hearing reports that said Lodge was conferring the initiatory and three other degrees of the Subordinate Lodge for a sum less than the minimum fee, as fixed by the Constitution for Subordinate Lodges, investigated the same, and informed said Lodge that he would recommend to the Grand Lodge that no charter be granted said Lodge, as he was convinced said Lodge had willfully violated

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the Constitution by admitting members and conferring degrees for less than the legal minimum fees, at the same time commanding said Lodge to produce before the Grand Lodge at its next session, all books and records of the Lodge. At the next session of said Grand Lodge, the Grand Master concluded his report upon the matter of Progressive Lodge, No. ——, with a recommendation that no charter be issued said Lodge, which report and recommendation were referred to the Committee on the State of the Order, which committee, on the following day, reported adversely to the granting of a charter to said Lodge, and this report was adopted by the Grand Lodge. From this action an appeal was taken, the appellant claiming that when a Lodge is instituted under a Dispensation it has all the powers and privileges of a chartered Lodge, and that such powers and privileges cannot be taken away for violation of law, without charges being preferred and proven, due opportunity being given said Lodge to be heard in its defense. It was held that the contention of the appellant is not applicable to this case, for the question before the Grand Lodge was not one of taking a charter from a Lodge, but of granting a charter to a Lodge. The Grand Lodge possessed the sole right and power to grant charters for Subordinate Lodges, and that power it has not delegated to any officer or committee. It has, however, given the Grand Master power, upon consent of the Board of Grand Officers, to issue Dispensations during the recess of the Grand Lodge, but such Dispensations contain the express proviso, "that such Dispensation shall be approved by the Grand Lodge at the next session thereof." In the case before us the Dispensation was properly granted, but the Grand Lodge, at its next session, refused to confirm the same, as it had an undoubted right to do.

925. The refusal of the charter to a Lodge working under a dispensation terminates the existence of the Lodge, and like the case of an expulsion, its functions cease altogether.

926. And, likewise, the refusal of a charter by the Grand Lodge to a Lodge working under Dispensation terminates membership.

927. A member of an extinct Lodge, who did not regularly withdraw therefrom prior to its extinction, can be admitted to membership only upon the presentation of a card from the officers of the Grand Lodge under which the defunct Lodge formerly existed. A member in good standing in a Lodge at the time of its dissolution, or suspended for no cause except non-payment of dues, proof thereof appearing on the records of said Lodge or in some other satisfactory manner, shall be entitled to a certificate [or card] from the Grand Secretary, under the seal of the Grand Lodge, with which he may make application for membership in another Lodge.

928. The Grand Officers, as such, cannot, after the institution of a Lodge, initiate candidates nor confer the degrees.

929. The instituting officer of a new Lodge only fills the chairs temporarily for the institution, after which the Lodge elects and the instituting officer instals the Lodge's new officers.

930. A Lodge, on the night of its institution, may, if no local law forbids it, receive applications for membership, refer the same, receive the report of the committee thereon, ballot, elect and confer the initiatory and other degrees upon the elected applicants.

931. But each applicant must be balloted for separately; a collective ballot will be illegal, and an infringement of the rights of the members of the Lodge.

932. Upon the organization of a new Lodge, when it may be necessary to confer any of the three degrees upon any of the petitioners, the fee for the dispensation in such cases is covered by the charter fee, as the granting of the charter carries with it the institution and organization of the Lodge.

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933. Those who take the obligation provided for in the institution of a new Lodge constitute the newly instituted Lodge. Therefore the officers must be selected from among this number, and only these members may participate in and vote at the election for officers.

934. So-called charter members, or those who are initiated and receive their degrees, or who are admitted to membership in a new Lodge at its first meeting, but after the institution, are not in any sense charter members, and are not qualified to vote for the first officers of the Lodge.

935. Any Third Degree member in good standing in a Subordinate Lodge, who is a charter member may be elected as the first Noble Grand or Vice Grand of a new or revived Lodge.

936. The first Noble Grand of a new or revived Lodge need not have had previous services as a Vice Grand or in an appointive Subordinate Lodge office. His service as Noble Grand to the end of the term entitles him to the Past Grands' Degree and to admission to the Grand Lodge.

937. On and after January 1, 1907, Grand Lodges may use the form of Charter supplied by the Sovereign Grand Lodge, or they may use such form as they may severally elect.

938. There is no provision for furnishing a Subordinate Lodge with a duplicate charter, except in cases where the original one has become mutilated or destroyed. In granting a duplicate charter, the granting power cannot change or vary the phraseology of the original charter, and all the names appearing in the original must be inserted. It should be signed with an endorsement stating that the charter was issued in place of one granted at such time, and which had been mutilated or destroyed.

939. The Grand Lodge of Pennsylvania, in consideration of the due performance of the provisions of its warrant by a Lodge, does bind itself to repair all damages or destruction of the Warrant, whether by fire or accident; provided, that sufficient proof be given that there is no illegal concealment or willful destruction of the same; and the Grand Lodge will support the Lodge in the exercise of its duties and in the privileges and honors of the Order.

940. All the names appearing on an original charter must be inserted in a duplicate charter when issued.

941. The following is the form of the Dispensation to continue operations where a charter has been destroyed:

I, ..., Grand Master of the Grand Lodge of the Independent Order of Odd Fellows of the State of Pennsylvania, and the jurisdiction of the Order thereunto belonging:

To the brothers of, No., held in the of, in the State of Pennsylvania, these presents.

IN FRIENDSHIP, LOVE AND TRUTH,

Come Greeting:

Whereas, It has been represented to me that the charter of your Lodge has been destroyed by, and sufficient proof has been given that there is no illegal concealment nor wilful destruction of the same:

Now, therefore, by virtue of the power and authority in me vested, I do hereby authorize, empower, and request you, the present and succeeding officers and members of the said, No., to continue your labors in the same full and complete manner, to all intents and purposes, as you could or might legally have done, if your said charter had not been destroyed, and was still in existence, agreeably to all the usages, rules, and regulations of Odd Fellowship, and especially to those of the Grand Lodge of Pennsylvania and of the Sovereign Grand Lodge of the I. O. O. F., and not contrariwise.

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This dispensation to continue in force until the next annual communication of the said Grand Lodge, and until its pleasure in the premises shall have been made known to you.

Given under my hand and the seal of the Grand Lodge of the I. O. O. F., at the city of Philadelphia, in the State of Pennsylvania, this day of, one thousand nine hundred and, and of our Order the

....., Grand Master.

Attest,

....., Grand Secretary.

942. The charter of a Lodge cannot be surrendered by a majority of its members, should there be in the minority a Constitutional number of worthy members who may wish to retain and work under it.

943. The Grand Lodge cannot require a greater number than five members to hold a charter in a Subordinate Lodge.

944. Nor can a Subordinate Lodge provide by By-Law for a dissolution of the Body.

945. The charter of a Subordinate Lodge cannot be surrendered if five members wish to retain and work under it, even although these five members are not present when the vote to surrender is taken.

946. The law of the Order provides that as long as five members of a Lodge desire to retain the charter, it cannot be surrendered. Before any action looking to the surrender of the charter is taken, there should be as full notice given as practicable, and all members should be notified, or an effort in good faith be made to notify all who are within the jurisdiction of the Lodge. It would not be necessary to notify or wait for notices to reach such members of a Lodge as are absent in Alaska and the Philippines.

947. Nor does this mean that after a Lodge has illegally disposed of its funds and surrendered its charter, and in order to defeat the Grand Lodge in its action in the civil courts to recover the property illegally disposed of, the right to which is vested in the Grand Lodge by the surrender, five members of the Lodge may demand the return of the charter, on the ground that they were not present and took no part in the illegal distribution. The rights of the Grand Lodge are vested by the surrender, and it has ample power to adjust the equities of the loyal members, after it has succeeded in making the disloyal members disgorge the illegally gotten plunder.

948. It is not legal, at an adjourned meeting of a Lodge, to entertain a motion to surrender the charter of the Lodge, and appoint a special meeting to consider and vote upon such motion.

949. The Grand Master has a right to suspend a Lodge for insubordination. If the Grand Lodge sustains his action, and determines to reorganize the Lodge, it should order the charter returned to such members of the Lodge as may petition for it, who otherwise are entitled, excluding the disloyal and insubordinate members, and until such reorganization, the suspension of the Lodge should continue. The power and duty of a Grand Master to suspend a Lodge actually in a state of insubordination is unquestioned.

950. Where a Lodge refuses to obey the mandate of the Sovereign Grand Lodge and pay the benefits required to be paid by the decision of the Sovereign Grand Lodge, the Grand Master of the jurisdiction to which the Lodge is subordinate may demand and take away its charter.

951. It is the duty of a Subordinate Lodge to obey the decisions of its Grand Lodge, which are final and conclusive until reversed by the Sovereign Grand Lodge, on a proper appeal thereto. Pending such appeal, the Subordinate Lodge is not entitled to any privileges other than those accorded to

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it by its Grand Lodge, which may enforce its decision by demanding the charter and effects of the Subordinate Lodge for non-compliance with the decision appealed from.

952. The suspension of a Lodge takes effect from the time such suspension is published or proclaimed; and as soon as practicable it is the duty of the Grand Lodge Officers to make such proclamation.

953. A Subordinate Lodge exists, although it may cease to act as such, until its charter is surrendered or annulled. The time when the charter is returned to the Grand Lodge does not refer back to the time when the subordinate ceased to act as such.

954. If a Lodge is expelled, its functions cease altogether.

955. A Lodge cannot be expelled by action of the Grand Lodge, without an opportunity to make answer and defence to charges preferred.

CIPHER KEYS.

956. Cipher keys in any proper quantity can be purchased by the Secretary of a Lodge from the Grand Secretary, upon complying with the conditions for their distribution by that officer. They are to be sold by Secretaries of Lodges to Third Degree members only. The Grand Secretary can only sell them to Secretaries of Subordinate Lodges.

957. A brother having a cipher key cannot sell or part with it to another brother without violating the law.

958. Where a brother of a lower degree is trying to learn the work, it is not legal to let such a brother have the cipher key left in his possession and in his control apart from the presence of the instructor. If, however, in the process of instruction, it is simply handed to the brother by the instructor, temporarily, and the brother's examination confined to the work of memorizing the work of the degree he has received, it would not be a violation of law.

959. The key to the secret work cannot be sold to Odd Fellows who have received only the initiatory degree.

960. The Secretary of a Lodge may sell keys to Third Degree members of his Lodge only.

961. No Odd Fellow who is not a Third Degree member can purchase a key to the secret work.

CIRCULARS.

See Canvassing. *See* Conventions.

962. Circulars soliciting aid, or advertising private business enterprises, in which the name of the Order is used, or that profess to give information in relation to the work of the Order, are illegal and are not to be read in the Lodge, unless they have been approved by the Grand Lodge or the Grand Master.

963. The Grand Lodge, by the general law, has the right to forbid, by law, the issuing of electioneering circulars, by Subordinate Lodges, or individual members of the Order, within its jurisdiction, advocating, or condemning certain brothers as candidates for Grand Officers. It has therefore provided that no brother, who is a candidate for any elective office in the Grand Lodge, shall be permitted to address or send, directly or indirectly, any letter or circular to any Subordinate Lodge; nor shall he be allowed to do the same by the hands of any other person or persons, under the penalty

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of being excluded from the office solicited. A Lodge, by committee, may address respectful communications, in sealed envelopes, to the individual Past Grands, by name of its own or other Lodges, recommending one of its own members. But such communications must be strictly confined to such recommendations, and shall not in any way allude to any rival candidate. A Lodge or committee, whether appointed by a Lodge or voluntarily selected, violating the provisions of this section, shall be liable to charges, and, on conviction, subject to suspension or expulsion, as the Grand Lodge may determine. Any candidate who shall print, or cause to be printed, circulate, or cause to be circulated any tickets different from those printed and circulated by the Grand Lodge, shall not be eligible to the office sought. A circular addressed to the Secretary of a Lodge is the same as if addressed to the Lodge.

964. Printing an unlawful communication in a newspaper or fraternal paper makes the paper, to all intents and purposes, a circular.

965. The sending of free copies of newspapers, or fraternal papers, containing illegal communications to Lodges and Past Grands, not subscribers, makes the communication a circular, and subjects the person or persons concerned in the same, to the penalty for sending improper election circulars.

CLAIMS FOR BENEFITS.

See Appeals for Benefits. Commissioner. *See* Counsel and Continuances. Appeals.

966. When a claim is made against a Lodge for benefits, and the Lodge has what it deems a good and valid defense, it cannot rest upon that defense and refuse to appoint a commissioner and take testimony in the case, but must proceed according to the Constitution for Subordinate Lodges, presenting its testimony, noting its objections, and making its statements, so that the same may be determined by the Committee on Appeals, in case the claimant should not be satisfied with the final action of the Lodge, after it has again considered the claim in the light of the evidence presented.

967. A Lodge cannot lawfully deny to a claimant the right to appeal from its action to the Grand Lodge.

968. It is not contemplated that the notice required by the Constitution of Subordinate Lodges from persons aggrieved at the action of the Lodge for failing to pay benefits that are claimed to be due must be made within thirty (30) days from the time when the benefits claimed began to accrue, but thirty (30) days after the Lodge has formally communicated to the claimant the action of the Lodge in refusing to pay the benefits that are claimed to be due; provided, however, as set forth in the By-Laws of the Grand Lodge, that no appeal relative to the non-payment of weekly or funeral benefits that may be due or claimed by or from a Lodge, shall be acted on when it appears that more than three (3) months have elapsed from the time the benefits have accrued, or are alleged to have accrued, and the filing of the appeal, unless the party, or his legal representative, shall be absent from the State, in which case the time shall be extended to six (6) months.

969. The fact that a brother demands too much or too little in making his formal claim for benefits to the Lodge, does not bar his right to the amount that is subsequently adjudged to him within the period of time for which he filed his claim for benefits.

970. The law of this jurisdiction provides that no appeal relative to the non-payment of benefits which may be due or claimed from a Lodge shall be acted on, when it appears that more than three months have elapsed from the time the benefits have accrued, or claimed to have accrued, and the filing of the appeal, unless the party, or his legal representative, shall be absent from the State, in which case the time shall be extended to six months. A brother

claimed benefits, which were refused him, and he appealed therefrom. The appeal was pending for over a year, and, in the meantime, although he claimed to have been continuously disabled and entitled to benefits, he neglected to appeal again from the refusal of the Lodge to pay the benefits. Held that the statute of limitations operated to cut off all benefits six months prior to any appeal, and that in all cases of continued sickness or disability under the law in question, when the brother intends to claim benefits while his appeal is pending, he should, at the end of the limited time, make a new demand, and upon his Lodge again refusing payment, he must again appeal.

971. When the report of a Commissioner on a claim for benefits is before the Lodge for final determination, the Noble Grand cannot declare a "motion to pay the benefits claimed" out of order, because the testimony did not show the brother entitled, but it is the duty of the Noble Grand to put the motion. In other words, the question is one for the Lodge alone to decide.

972. The following forms may be used in the procedure for determining claims for benefits: The procedure concerning claims for benefits is equivalent to a civil suit at law, where personal service is not absolutely essential, therefore, service of notice shall be either by delivering the communication personally to the brother, or by leaving it at his place of residence with an adult member of the family, or, in case the brother is beyond the territorial jurisdiction of the Lodge, by mailing a registered letter to him containing said notice, at his last known place of residence. It is the duty of the Warden to convey all summonses that may be issued, unless otherwise directed by the expressed terms of the law.

(a) Form when the Lodge refuses to pay benefits:

.....Lodge, No., I. O. O. F.

....., 19...

(Brother's Name.)

Sir and Brother:—In reference to your application for benefits for.... the undersigned, as Secretary of the Lodge, in performance of his duty as presented by the Constitution for Subordinate Lodges concerning applications for benefits hereby fraternally informs you that this Lodge, at its meeting held, 19.., decided that you are not entitled to the same, for the reason that.....

Yours fraternally,

....., ..., ...

....., Secretary.

(Seal.)

(b) Form when the Lodge refuses to continue paying benefits:

.....Lodge, No., I. O. O. F.

....., 19...

(Brother's Name.)

Sir and Brother:—In reference to the continuance of your benefits for, the undersigned, as Secretary of the Lodge, in performance of his duty as prescribed by the Constitution for Subordinate Lodges concerning discontinuance of benefits, hereby fraternally informs you that this Lodge, at its meeting held, 19.., decided that it would discontinue paying the same, for the reason that.....

Yours fraternally,

.....

....., Secretary.

(Seal.)

(c) Form of complaint or notice of claim for benefits:

To the Officers and Members of Lodge, No., I. O. O. F.:

Sirs and Brothers:—The undersigned, a member of good standing in Lodge, No., hereby gives notice that he deems himself ag-

CLAIMS FOR BENEFITS.

grieved by the action of the Lodge in not paying the.....benefits claimed by him, and requests that the Lodge do now proceed, in accordance with the Constitution for Subordinate Lodges, to appoint a suitable member as a Commissioner, to take testimony in the case, giving the undersigned due notice of the time and place of meeting to take the testimony, in conformity with the laws of the Order.

A copy of the above was served upon the Lodge on the.....day of....., 19...

Attest:

(d) Form for appointment of Commissioner:

.....Lodge, No., I. O. O. F.

....., 19...

(Brother's Name.)

Sir and Brother:—Brother..... has felt aggrieved at the action of this Lodge in refusing to pay him benefits that he claims to be due, and having given the Lodge notice thereof, the Noble Grand of the Lodge, at the meeting held, appointed you Commissioner to take the testimony that either the above named brother or the Lodge may offer in relation to the case.

Your acceptance of this appointment and prompt performance of your duties will be appreciated by both parties to this controversy.

Yours fraternally,

....., Secretary.

(Seal.)

The duties of the Commissioner are fully set forth in the Constitution for Subordinate Lodges, also in the Pennsylvania Digest.

(e) Form of notice of the filing of the Commissioner's report and consideration thereof.

.....Lodge, No., I. O. O. F.

....., 19...

(Brother's Name.)

Sir and Brother:—You will take notice that Bro., the Commissioner who has taken the testimony in the matter of your claim against this Lodge for benefits, has made his report, and the same will be considered at the next meeting of the Lodge, to be held....., 19.., at which time all the evidence in the case will be read and the claim finally determined.

Yours fraternally,

..... Secretary.

(Seal.)

(f) Form of notice of final action of the Lodge:

.....Lodge, No. I. O. O. F.

....., 19.....

(Brother's Name.)

Sir and Brother:—You will take notice that in the matter of your claim for benefits the Lodge, at its meeting held....., 19.., after considering the report of the Commissioner, including the reading of all the evidence, finally determined that.....

.....

You are therefore informed, according to law, that if you are still dissatisfied with the action of this Lodge you can appeal to the Grand Lodge at any time within thirty days from the date of the service of this notice, by filing an appeal with the undersigned, as the Secretary of the Lodge; otherwise the action of the Lodge, at the expiration of said time, will be final and conclusive.

Yours fraternally,

....., Secretary.

(Seal.)

COLLECTING DEBTS.

See Obtaining Credit.
Bringing Suit.

See Pecuniary Obligations.

973. A Subordinate Lodge has no jurisdiction to enforce the collection of debts, and the fact that the disputed claim is against a Lodge, instead of an individual, cannot change the principle.

COMMISSIONER.

See Appeals for Benefits.
Trials.
Counsel and Continuances.
Claims for Benefits.

See Evidence.
Testimony.
Witnesses.

974. The Commissioner is a mere ministerial officer. He has no power to make any ruling. His duty is to take down what is offered, and leave to the Lodge and to the Appeal Committee to pass upon the relevancy or the irrelevancy of the proposed proofs.

975. A Subordinate Lodge may legally appoint a brother of another Lodge to act as Commissioner on an Appeal Case for a brother who is refused benefits.

976. The Commissioner is the judge of the time and place of meeting to take testimony, subject to appeal from any unreasonable act in such determination and removal from any unjust exercise of the power given him.

977. The aggrieved party shall, at the time and place appointed by the Commissioner, present his witnesses.

978. The testimony of the witnesses, or witness, shall be written down with ink by the Commissioner, and after the examination is over it shall be read to the witness, and corrected, if any corrections are necessary, and afterwards signed by the witness.

979. After the aggrieved party is through with his witnesses, the witnesses for the Lodge shall be presented, and their testimony shall be taken in the same manner.

980. If the parties agree thereto, the testimony may be taken by a stenographer, a member of the Order, and read to the witness, when typewritten, and signed by him or her, after reading and verification.

981. After having examined such witnesses as the appellant may have to offer to sustain his claim for benefits, the Commissioner shall give him at least one week's notice of the time and place of his meeting the parties to take depositions upon the part of the Lodge. This rule must be complied with, unless both parties, with the consent of the Commissioner, agree upon a more satisfactory course of procedure. The Commissioner must give all parties a reasonable time to present their witnesses and to have them examined. Both parties may present rebuttal evidence, after the evidence in chief has been closed.

982. When the Commissioner is taking the testimony, all persons will be excluded from the room except the parties and their counsel and the witness under examination. Either party may be assisted by counsel, who must be a member of the Order. When the testimony is all taken, the Commissioner will at once certify the same to the Lodge as being the full and correct testimony taken by him.

983. If any objections are made to the testimony of witnesses by either party, the Commissioner shall note the objections in writing, as offered by the objecting party, and then proceed to take down the testimony, as if no objection had been made.

COMMISSIONER.

984. If a paper is offered in evidence by either party, and the opposite party objects to its reception in the case, the Commissioner shall designate the paper and state: "Paper marked ("A") was presented by (here name the party), and objected to by the opposite party for the following reasons, viz.:"

985. New evidence may be introduced after the case has been closed on either side, if there be reasons for so doing. Such new evidence need not be confined to that which is merely rebuttal. The tribunal which decides the case finally must exercise its discretion as to the evidence thus presented.

986. After taking all the testimony the parties may offer, the Commissioner shall report the same to the Lodge. And certify the same to the Lodge as being the full and correct testimony taken by him.

987. Should the aggrieved party appeal from the final action of the Lodge to the Grand Lodge, the original testimony taken by the Commissioner must be sent up to the Grand Lodge.

COMMITTEE.

988. The report of a committee shall be signed by a majority of its members; nevertheless a minority of a committee shall have power to make a minority report after a majority report has been presented. In case of a majority and minority report, the Lodge can only act on the majority report as that is the report of the committee; though the Lodge may on motion amend the majority report by substituting in lieu thereof the minority report, unless this is done no action is necessary on the minority report at all.

989. Where the By-Laws provide that the Vice Grand appoint the minority of all committees, and one of his appointees resigns or declines, the vacancy is filled by the Noble Grand, as the Vice Grand exercised his prerogative when the committee was originally appointed.

990. Expenses properly incurred by a Committee in the discharge of the duties assigned to the committee by a Lodge, are chargeable to the Lodge.

991. A committee was appointed from a Lodge to act with brothers from sister Lodges to make arrangements for a reunion and this committee levied a tax upon the membership of the several Lodges of 10 cents per member. This committee had no right to levy such tax, and it cannot be charged up against the brothers on the books of the Lodge.

992. When a Lodge appointed a committee to make arrangements for an excursion of the members, the railroad required a certain guaranteed amount, and after the excursion it was found that there was not sufficient tickets sold to fulfil the guarantee. The committee cannot lawfully collect the deficiency from the Lodge.

993. The chairman of all Grand Lodge committees shall make a brief report to the Grand Master once in three months, and if it shall appear that the operations of a committee have been retarded by the remissness of any member or members thereof, the Grand Master shall remove such member or members, and supply the vacancy by a new appointment.

994. Although the By-Laws may be silent on the subject, yet when appointed on a committee it is the duty of a member of a Lodge to serve unless excused by the N. G. of the Lodge.

995. One of the first principles of parliamentary law is that a committee is the creature of the appointing body, and must report its acts to the body creating it, unless otherwise authorized by such body.

996. The chairman of a committee shall call it together, and notify the other members of the time and place of meeting.

997. Every committee shall make its final report in writing, if required so to do; but if unable to report finally at any time when a report be called for, a clear and explicit report of the proceedings shall be given.

COMMITTEE OF THE WHOLE.

998. A committee of the whole is a committee of a legislative body, consisting of all the members sitting in a deliberative rather than a legislative character for formal consultation and preliminary consideration of matters awaiting legislative action. By the general law of the Order the Grand Lodge or a Subordinate Lodge may constitute itself a committee of the whole upon any legislative matter.

999. As a fact, most of the legislation in the Grand Lodge is transacted in this manner, as the records of every session show that after the Grand Lodge has passed upon a matter seriatim and expressed its clear legislative intention upon each separate division of the subject before it, without a formal vote having been had that the Grand Lodge would consider the matter in committee of the whole, and another resolution after such separate action that the committee of the whole will now arise and report to the Grand Lodge a motion is made and put by the chair, "That the subject matter be adopted as a whole as amended," or some motion equivalent thereto, thus showing that each of the subdivisions was held in abeyance until all the subdivisions had been separately considered and acted upon, when final action was taken on the subject as one particular object of legislation, otherwise the last motion was futile and inaccurate according to parliamentary procedure.

1000. When a motion for the adoption of the subject as a whole, is before the Grand Lodge, the rule established by the rulings of the Grand Lodge is that this motion, like the motion to adopt the report of any other committee, may be amended or changed in any parliamentary way.

1001. But when the motion is for the adoption of the Code of Laws as a whole, after having been considered separately, no amendment can be made to the motion. If any separate section that makes up the whole body of laws is unsatisfactory, a motion to reconsider the same should have been made before the motion to adopt the Code of Laws as a whole was before the Grand Lodge, or the motion to adopt may be defeated, when the section may then on motion be reconsidered, and then the motion to adopt as a whole may be again made. In committee of the whole on the subject of adopting a Code of Laws, a majority passes each section or amendment thereto. While the motion to adopt as a whole must have the constitutional majority.

1002. The Constitution of the Grand Lodge not specifying the number of members of the Grand Lodge to constitute a Committee on Charges, they may, if the Grand Master or the Grand Lodge so direct, be referred to the committee of the whole in the Grand Lodge.

COMMITTEE ON BY-LAWS.

1003. The Committee on By-Laws have a right to withhold approval of all By-Laws that do not conform to law.

1004. While the Grand Lodge has framed a model Code of By-Laws and recommended the same to the Subordinate Lodges in this jurisdiction, nevertheless the Committee on By-Laws cannot say that it will approve only this code of laws.

1005. The Committee on By-Laws has no right to make new laws for the Subordinate Lodges, or to disapprove by-laws which are not in conflict with law, and it can only amend a by-law in so far as may be necessary to make it conform to the general or local law.

1006. The decision of the Grand Lodge of an appeal from the decision of the Committee on By-Laws, is such legislation as will affect a similar by-law of any other Subordinate Lodge until such decision is modified or reversed.

COMMITTEE ON HOMES AND KINDRED CHARITIES.

1007. The Committee on Homes and Kindred Charities shall prepare and send up to the Grand Secretary their report in sufficient time to be printed with the printed reports for distribution at the Annual Sessions of the Grand Lodge.

COMMITTEE ON PRINTING.

1008. The Printing Committee in awarding the yearly contract for printing is given power to use its discretion in awarding the yearly contract, so that the time when the work shall be produced shall be an element of advisability in the award; the committee finding that sometimes the lowest price is synonymous with an unconscionable delay, and if the reports are so long delayed that interest therein is lost, the purpose for which they are issued is defeated.

COMMUNICATIONS.

1009. All communications from Subordinate Lodges or from members of the Order in this jurisdiction must be in the English language. When the communication is from a Lodge, it must be over the seal of the Lodge, attested by the Secretary.

1010. A member entitled to address a communication to any body of the Order, if he be unable to write the language in which such body conducts its work, cannot be denied the right to make such address in English.

1011. When the minutes of a Lodge are kept in other than the English language, whenever it may be necessary to forward to the Grand Lodge or Grand Lodge Officers, extracts therefrom, a copy of the minutes must be sent in the language in which they are recorded, accompanied with a translation into English.

1012. Any expense for postage for transmitting the benefits to the address of a member located at a distance from the Lodge, should be defrayed by the member.

1013. A member violates no law or obligation in neglecting to answer letters written to him by his Lodge in reference to his claim for benefits, and such neglect is no cause for charges.

1014. A Lodge is justified in refusing attention to any document of another Lodge not attested by its seal.

CONDUCTOR.

1015. It shall be the duty of the Conductor to introduce the applicants for the reception of the Degrees and to see that the members and visitors are properly clothed according to their rank and station.

1016. At the direction of the Noble Grand, he may assist the Warden in taking up the Password.

CONFINED TO THE HOUSE.

1017. Whether or not a Lodge may provide by its By-Laws for the payment of a larger weekly benefit to sick brothers who are confined to the house than it does to those not so confined is a matter for local legislation, provided that under no circumstances it pays less than the minimum benefit required by general law.

CONFLICT OF LAWS.

(a). The Ritual.
(b). The General Law.
(c). The Local Law.
(d). The Subordinate Constitution.
(e). The Lodge By-Laws.
(f). Inconsistent Provisions.

(a). The Ritual.

1018. In matters purely ritualistic the ritual takes precedence.

1019. The ritual takes precedence over a constitutional or statutory law in all matters purely ritualistic, such as opening and closing lodges, conferring degrees, etc.

1020. In any conflict between the "floor work" and ritual or law, the ritual must govern.

(b.) The General Law.

1021. In all matters arising under the constitution, by-laws, legislation and decisions of the Sovereign Grand Lodge, or, as it is more usually styled, "the general law." The constitution of the S. G. L. is the supreme law, and where any other law conflicts with it, such law must give way to it.

1022. A decision of the Grand Sire, although approved by the S. G. L., cannot alter in any respect either constitutional or ritualistic law. Such law can be modified, amended and repealed only through and by the process prescribed therefor by the S. G. L. An approved decision of the Grand Sire is immediately operative in all matters, except where a particular manner for making changes in the law is prescribed, and the constitution and rituals cannot be altered by resolution of the S. G. L. itself, unless it has taken the course prescribed by law.

1023. A decision of the Grand Sire, made during recess and approved by the S. G. L. at the next session, is superseded by a law adopted at said session of the Grand Lodge although adopted before the said decision was approved.

1024. A resolution in conflict with the constitution is out of order. For example, a resolution offered in the Sovereign Grand Lodge "that the several State, District and Territorial Grand Lodges have jurisdiction over all suspended members residing within their territorial limits, and may prescribe the terms upon which they may be admitted to membership," is not in order, it being in conflict with the constitution of the Sovereign Grand Lodge.

1025. A By-Law of the S. G. L. cannot be superseded or set aside except in the way provided in the constitution. The by-laws of the S. G. L., made in pursuance of the constitution, are the supreme law of the Order, and such a law cannot be set aside by a decision of the Grand Sire, though approved by the S. G. L.

1026. Since 1879 all general laws passed by the S. G. L., not otherwise specially provided for, shall go into effect on the first day of January after their passage. For example, a resolution declaring that "hereafter and until otherwise ordered the price of charge-books shall be," etc., is a general law, and does not take effect until January 1st after its passage.

1027. A law of the S. G. L. (except as above) takes effect in each jurisdiction from the time of its enactment unless the law on its face provides otherwise; or unless from the nature of the law it necessarily requires legislation by the subordinate jurisdiction to carry it into effect.

1028. When the Constitution and By-Laws of a Grand or Subordinate Lodge conflict with the constitution, laws and decisions of the S. G. L., the laws of the latter body must be conformed to.

CONFLICT OF LAWS.

(c). The Local Law.

1029. In all matters arising under the Constitution, By-Laws, legislation and decisions of the Grand Lodge which is denominated as "The local law." By the Constitution of the Sovereign Grand Lodge all Grand Bodies working under charters granted by the S. G. L. are supreme for all local legislation and appellate jurisdiction within their respective limits, except as therein provided.

1030. Constitutions of Grand Bodies and all amendments thereto are not operative or of any binding force until approved by the Sovereign Grand Lodge, or by the Grand Sire during recess. If approved, they at once become the organic law in full force and do not depend for validity upon any future action of the Subordinate Grand Body whatever. If error be found, the error must be corrected.

1031. The S. G. L. has no power to alter the charter of a Grand Lodge without its consent, but it has abundant power to direct any Grand Lodge to remove any clause or article from its constitution or by-laws which may conflict with the fundamental laws of the Order, even although said constitution and by-laws have been approved by the S. G. L.

1032. A Grand Lodge has jurisdiction to construe its own laws, and having done so its decision is and should be final.

1033. If a Grand Lodge passes a law in direct conflict with its Constitution and without observing any of the forms required by it, the law is illegal and its subsequent unanimous approval can give it no legal binding force. It is an act outside the constitutional power of the Grand Lodge and is therefore "ultra vires"—null and void.

1034. The S. G. L. has no power to direct Grand Bodies how to frame the constitution of their subordinates, except that such constitutions shall not be in conflict with the general law as established by the S. G. L.

1035. The Grand Lodge is not bound because it has established a particular rule of law in one case on appeal to adhere to that rule of law in subsequent cases of the same character, but in such cases may review, affirm or reverse its former decision at pleasure.

1036. A Grand Body, through inconsistent rules of parliamentary practice, cannot deprive itself of its inherent power to consider any proposition submitted to it and take such action thereon as it may determine to be best.

1037. A By-Law of a Grand Body cannot be repealed by a mere resolution, when a different mode of amendment is prescribed. If a resolution be passed professedly in pursuance of a by-law, it must presume the by-law to be valid. Where the by-law of a Grand Lodge provided that a duplicate copy of the vote of a lodge for Grand Officers should be forwarded to the D. D. Grand Master of the District, who should keep the same sealed until the session of the Grand Lodge, and the Grand Lodge passed a resolution that the D. D. G. M. should forward the said duplicate returns to the Grand Master so as to be in his possession at or before the opening of each session of the Grand Lodge; Held, that the resolution conflicts with the by-law, and it was the duty of the D. D. G. M. to disobey the order of a Grand Master to forward him such duplicate returns.

(d). The Subordinate Constitution.

1038. Grand Bodies, being expressly declared the legislative heads of the Order in the several jurisdictions, have unquestionably the power to adopt a uniform system of constitutions for their subordinates, and the subordinates are bound to conform to such constitutions.

1039. The provisions of the Constitution for Subordinate Lodges and the by-laws of a Lodge must be read together, so as not to conflict, and if there is any conflict the provisions of the Constitution govern.

CONFLICT OF LAWS.

(e). The Lodge By-Laws.

1040. As to the approved By-Laws of the respective Subordinate Lodges they should follow the Constitution provided for such subordinates in all matters.

1041. When the Constitution and By-Laws of a subordinate conflict with the laws and decisions of the Grand Lodge or of the S. G. L., the laws of the latter bodies must be conformed to.

1042. Where the S. G. L. passes any law or makes any decision, providing that a Subordinate Lodge shall have power to do certain things which are denied to the subordinate by a clause in its constitution framed years since, the Lodge may disregard such prohibitory clause and do those things expressly allowed by the S. G. L. without becoming amenable to the laws of its Grand Lodge. The constitution and laws of the S. G. L. are paramount to all laws of a Grand Body, and the latter, so far as they conflict with the former, must yield to them. But this can only be construed to mean, that where a Subordinate Lodge disregards the law of its own Grand Lodge or a provision of its own constitution and yet acts in accordance with the laws of the S. G. L., it is not subject to punishment by its Grand Body. But such subordinate would violate a law of its Grand Body at its peril, and its Grand Lodge would be the proper tribunal to judge of such violation; but if such subordinate had acted in accordance with the laws of the S. G. L., the S. G. L. would, on appeal being properly taken, protect such subordinate.

(f). Inconsistent Provisions.

1043. The title or preamble of a resolution for proposed law should always disclose the object thereof. All matters contained in the law not in harmony with the title or preamble are illegal.

1044. Where two resolutions are passed by the same body at the same session they must receive such a construction as will allow them both to stand and give full force and effect to each, if possible.

1045. The substance of a law is found in the body of the law; provisos contain exceptions to the law where the language of a law is free from ambiguity and is too plain for a doubt.

1046. In the construction of statutes, the well-settled rule of law is, that if a statute be so worded that it is susceptible of two constructions, the legislative intent may be looked to in determining which construction should be given, but if the statute is unambiguous and susceptible of but one construction, it would be judicial legislation to interpolate a word or words to either extend or restrict the meaning of the statute, and where for example a literal reading of the law would make every member beneficial from the time he was admitted, without qualification, no words can be interpolated to change the literal reading.

1047. Where the provisions of a subsequent law are repugnant to the provisions of prior law it operates to repeal them in so far as it conflicts with the same.

CONSOLIDATION OF LODGES.

1048. The Grand Lodge is fully authorized and empowered to enact such legislation within this Grand jurisdiction as shall fully authorize the consolidation of two or more subordinate lodges into one lodge.

1049. The S. G. L. having authorized consolidations to be made under such rules and regulations as may be prescribed in the several Grand Bodies, it is their province to legislate on the subject and arrange details as to the disposition of records, property, etc., belonging to the subordinates that may be consolidated.

1050. The S. G. L. legalized the consolidation of all Lodges made prior to the 22d day of September, 1883.

CONSOLIDATION OF LODGES.

1051. The Grand Lodge is authorized to effect the consolidation of Subordinate Lodges with such name and number and under such conditions as it may deem proper. For example, Royal City Lodge, No. 13, merged with New Westminster Lodge, No. 3, under the provisions of the laws of a Grand Lodge. It appears that at the time the financial position of Royal City Lodge was superior to that of New Westminster Lodge and that some of its members objected to the consolidation if its identity would be entirely destroyed by the transaction. In order to meet this objection, and accomplish the object sought, it was mutually agreed that the consolidated Lodge should be called Royal City Lodge, No. 3, thus taking the name of one and the number of the other Lodge. Prior to this consolidation the charters of both Lodges were destroyed by fire. A petition was presented to the last session of the Grand Lodge on behalf of the united Lodge asking that a charter be issued it under the proposed name. Under this statement of facts such a new charter with the new name and number can legally be issued. The power to authorize the consolidation of Subordinate Lodges, and to arrange the terms and conditions of such consolidation, is vested in the Grand Lodge, and it possesses the power to issue, under the circumstances named, a new charter to the consolidated Lodge, bearing such name and number as the Grand Lodge shall determine.

1052. The Grand Master has no power to consolidate two subordinates in this jurisdiction, unless the Grand Lodge has legislated to that effect and has given him the necessary authority.

1053. The law authorizing the consolidation of subordinates, by and through the legislation of Grand Lodges, is secondary to the minimum condition for granting charters for Lodges. In other words, so long as the number of members desiring to retain the charter of a Lodge and work thereunder, is equal to that prescribed by law as the minimum number of applicants or petitioners to whom a charter will be given, said charter cannot be taken from them by forcing consolidation with another Lodge. The law allowing Grand Bodies to legislate for consolidation is permissive and not compulsory on lawful minorities.

1054. In no case can a Lodge be consolidated into another Lodge so long as there are five members of either Lodge willing to retain the charter and carry on its work.

1055. Two or more Lodges shall have power when so inclined to enter into negotiations for consolidating into one Lodge. Each Lodge shall appoint a committee; the two committees shall meet together, and as a joint committee agree upon all the details of consolidation. The resolutions of the joint committee shall be reported back to the two Lodges, and if adopted by the Lodges, shall be forwarded to the Board of Grand Lodge Officers, and upon the approval of the act of consolidation by the Grand Lodge Officers, notice shall be forwarded to the Lodges, and a time fixed when the members of the Lodge that surrenders its number shall meet with the other Lodge, and either sign or authorize their names to be signed to the constitution of the Lodge into which they consolidate. The Lodge that surrenders its number, surrenders with it also its charter, rituals and seal, and those members of the Lodge the charter of which was not retained that had been previously suspended for non-payment of dues may apply to and receive from the consolidated Lodge cards by which they can join a new Lodge in the same manner they could have received the same from their old Lodge.

1056. Under the laws for the consolidation of Lodges, the merging or joining of two bodies cannot annihilate either. By the act of merging the rights, properties and franchises of each are united together, forming in fact, but perhaps not in name, a new body or corporation possessing the rights, powers and franchises of both. The suspended members of both would sustain the same relation to the consolidated body that they

did to their own body before consolidation. This being so, of course the new Lodge can reinstate or grant dismissal certificates to the suspended members of either, and can annul clearance cards granted within a year. The law of a Grand Jurisdiction in regard to consolidation is as follows: "All the members in good standing in each of said Lodges shall thereupon become members of such consolidated Lodge, which shall also have jurisdiction over all suspended members of each of such Lodges. All the funds, property and record-books belonging to each of said Lodges shall belong to and be turned over to such consolidated Lodge, and all the charge-books, except such as originally belonged to the Lodge whose name and number have been retained, shall be turned over to the Grand Lodge," is valid.

1057. Upon the consolidation of two Lodges and the surrender of the charter of one of them, that Lodge became merged and its property became absolutely, without qualification or limitation, the property of the surviving Lodge, as consolidated, for all of the purposes, uses and trusts to which Lodge property can be devoted. Over this property the Grand Lodge had no affirmative jurisdiction. It had no power to donate or appropriate it to any person, or to any Lodge. Its only authority with respect to that property was to prevent the consolidated Lodge from devoting it to any improper use. A Grand Lodge has power to authorize the consolidation of Lodges, but it has no more power to divide or donate the property of a consolidated Lodge than it has to divide the property of any other Subordinate Lodge within its jurisdiction.

1058. Two Subordinate Lodges having voted and complied with the provisions of the local law, have nothing more to do than to turn over the books, effects, roll of members, etc., to the consolidated Lodge and organize under the new name and number.

1059. Two Subordinate Lodges may consolidate under the charter, name and number of one of them, the other surrendering its charter to the Grand Secretary and its papers, books, etc., to the one retaining its charter, without applying for and procuring a new charter.

1060. When Lodges merge during a term the officers of the merged Lodge lose their positions, but they do not lose the honors of their respective offices, but shall be entitled to the same, provided they have served a majority of the meeting nights of the term prior to such consolidation.

1061. The following Certificate is to be issued when the Charter of one of the consolidating Lodges is retained, and the Grand Secretary is authorized to have the same printed as a part of the supplies of the Grand Lodge.

INDEPENDENT ORDER OF ODD FELLOWS.

To All whom it may Concern:

The Grand Lodge of Pennsylvania, I. O. O. F., by authority of a Charter granted to it by the Sovereign Grand Lodge, I. O. O. F., hereby certifies that,

WHEREAS, Lodge, No. , was instituted a Lodge of the I. O. O. F., with a Warrant or Dispensation, dated at the day of 1 , and

WHEREAS, Lodge, No. , was instituted a Lodge of the I. O. O. F., with a Warrant or Dispensation, dated at the day of 1 , and

WHEREAS, both the said Lodges were and are in legal existence and lawful affiliation with the Grand Lodge of Pennsylvania, I. O. O. F., at a time when, in accordance with the laws of the Order for such cases, made and provided, they entered into and mutually exchanged Articles of Agreement to consolidate and become one Lodge, whereby the Charter of the said Lodge, No , was retained as the Charter of the said consolidated Lodge and the said Lodge, No. , hath, in accordance with said Agree-

CONSOLIDATION OF LODGES.

ment, delivered to the Grand Lodge of Pennsylvania, I. O. O. F., its Charter or Warrant of Dispensation, so that the said Lodges became and are in law one Lodge, to be hailed and known under the name and title written in the Charter or Warrant of Dispensation of the said Lodge, No. , whereby the rights, properties and franchises of each are united together, forming, in fact, under the name of the Lodge whose Charter was retained, a new Body or Corporation, possessing the rights, powers and franchises of both.

The suspended members of both Lodges will sustain the same relation to the consolidated Lodge that they did to their own Lodge before consolidation. All members in good standing in each of the said Lodges thereby became members of such consolidated Lodge, and by good standing, as used in reference to the consolidation of these Lodges, is meant all the members on the books of the respective Lodges who, at the time of consolidation, are not suspended, and all the funds, properties and record books belonging to each of said Lodges shall belong and be turned over to the consolidated Lodge, and

WHEREAS, The said Articles of Agreement having been previously submitted to the Board of Grand Officers and approved by them in accordance with law.

NOW THEREFORE BE IT KNOWN, That this Certificate is issued for the purpose of evidencing that the said consolidation has been made on this day of 19 , and completed in accordance with the laws of this Jurisdiction, and that the consolidated Lodge, acting under the Charter retained, is by said consolidation vested with the rights, privileges, properties and membership of both of said Lodges above mentioned.

Given under my hand and the seal of the Grand Lodge of Pennsylvania I. O. O. F., this day of , one thousand nine hundred and , and of our Order, the .

, Grand Master.

Attest: , Grand Secretary.

1062. The following is the form of Articles of Agreement for Consolidation of Lodges:

1062. This agreement, made the day of 19 between Brothers a Committee duly appointed and empowered by Lodge, No. , I. O. O. F., of the first part, and Brothers a Committee duly appointed and empowered by Lodge, , I. O. O. F., of the second part, witnesseth:

That the party of the first part hereby agrees to consolidate Lodge, No. , I. O. O. F., of the Jurisdiction of Pennsylvania, with Lodge, No. , I. O. O. F., of the same Jurisdiction, and agrees that the details of the said consolidation shall be as follows:

1st. The Charter of Lodge, No. , I. O. O. F., shall be retained as the Charter of the consolidated Lodge, and the Charter, seal and rituals of Lodge, No. I. O. O. F., shall, upon the carrying into effect of this Agreement, be delivered to the Grand Lodge of Pennsylvania, I. O. O. F.

2d. The night of , 19 , and the place of meeting of Lodge, No. I. O. O. F., situate is hereby agreed upon as the time when and the place where the two Lodges shall meet to consolidate into one Lodge.

3d. The Noble Grand and Secretary of the Lodge whose Charter is not retained is hereby authorized to sign the Constitution of the other Lodge for all the members of the Lodge whose Charter is not retained.

4th. That all the members in good standing in each of said Lodges (and by good standing as used in reference to the consolidation of these two Lodges, is meant all members on the books of each of said Lodges who are not suspended), are, by this consolidation, to become members of such consolidated Lodge.

CONSOLIDATION OF LODGES.

5th. The suspended members of both of said Lodges are to retain the same relation to the consolidated Lodge as they did to their own Lodge before the consolidation.

6th. That all the funds, property and record books belonging to each of said Lodges shall belong to and be turned over to the consolidated Lodge.

7th. The Noble Grand and Secretary of the Lodge whose Charter is not to be retained, shall immediately after the two Lodges meet together and consolidate into one Lodge, deliver to the Grand Secretary, the Charter, Seal and Rituals of the said Lodge.

8th. Members of either Lodge who desire to join other Lodges, after consolidation, may obtain Withdrawal Cards or Dismissal Certificates or may resign their membership, as the case may be, from the consolidated Lodge in the same manner that they would have been entitled to sever their membership from their old Lodges respectively.

9th. The By-Laws of the Lodge whose Charter is retained shall be the By-Laws of the consolidated Lodge, and in these By-Laws the weekly dues are stated as cents per week and the Funeral Assessments are

10th. The consummation of this Agreement is predicated upon the approval of the same by the Board of Grand Officers, and the issuance by the Grand Master of a Certificate, certifying to the consolidation.

It is further agreed between the parties hereto, that each shall submit to their respective Lodges the following resolution, and recommend its adoption, and when it is adopted by both Lodges they will jointly submit the same to the Grand Lodge of Pennsylvania, I. O. O. F., or the Board of Grand Officers for approval, viz.:

Resolved, That Lodge, No. I. O. O. F., and Lodge, No. I. O. O. F., consolidate under the name of Lodge, No. , I. O. O. F., in accordance with the Articles of Agreement entered into by the respective Committees of said Lodges on the day of 19 .

Committee of Lodge, No. Committee of Lodge No.

This is to Certify, That at a regular stated meeting of Lodge, No. , held on the day of 19 , the foregoing Articles of Agreement were duly adopted.

, Noble Grand.

Attest: , Secretary.

(Seal.)

This is to Certify, That at a regular stated meeting of Lodge, No. , held on the day of 19 , the foregoing Articles of Agreement were duly adopted.

, Noble Grand.

Attest: , Secretary.

(Seal.)

CONSTITUTIONS.

(a). Grand Lodge. (b). Subordinate Lodge.

(*See* Amendments).

(a). Grand Lodge.

1063. The Constitution of the Grand Lodge and all amendments thereto are not operative or of any binding force until approved by the S. G. L. or by the Grand Sire during recess. If approved they at once become the organic law in full force and do not depend for validity upon any future action of the Grand Lodge whatever.

CONSTITUTIONS—Grand Lodge.

1064. Disapproval by the S. G. L. of a law enacted by the Grand Lodge renders the same inoperative without further action of the Grand Lodge.

1065. The Constitution of the Grand Lodge adopted at the May session 1900, was submitted to the S. G. L. at its session the same year, and the following legislation was had thereon:

The Revised Constitution adopted by the Grand Lodge of Pennsylvania was referred to the Committee on Constitutions, which made the following report, which on motion was adopted by the Sovereign Grand Lodge.

"Report 72. By Rep. Huskins, of Colorado, from the Committee on Constitutions:

"To the Sovereign Grand Lodge of the Independent Order of Odd Fellows:

"Your Committee on Constitutions, to whom was referred the constitution of the Grand Lodge of Pennsylvania, have examined the same, and find it in accordance with the laws of the Order, except as follows: Section 2, Article III., reads as follows:

" 'In case of the death, resignation or removal of the Grand Master, the Deputy Grand Master shall become the Grand Master for the unexpired term, and upon its expiration shall be entitled to the honors of a Past Grand Master; provided he has thereby served six months or more as Grand Master.'

"Resolved, That the constitution of the Grand Lodge of Pennsylvania, adopted May 16th, 1900, and here submitted for approval, is approved, excepting the words 'and upon its expiration shall be entitled to the honors of a Past Grand Master; provided he has thereby served six months or more as Grand Master,' which words (being the latter portion of Sec. 2 of Article III.) are hereby disapproved.

"Signed by the Committee."

The Report was adopted.

It will be noted that this approved the entire Constitution adopted by this Grand Lodge, except as found in the concluding resolution of the report of the Committee.

1066. While the S. G. L. does not claim the power to dictate to a Grand Body the particular form in which it shall frame its organic law, it does appear to be eminently proper that whatever form may be adopted, its provisions should be as simple, direct and comprehensive as possible, without unnecessary prolixity, and free from any clauses, sentences or paragraphs that are imperfect or incomplete in themselves and incapable of being understood without resorting to other and entirely distinct enactments of other and entirely distinct bodies or authorities.

1067. A document submitted as a Constitution which appears not to be so much a constitution embracing only the necessary provisions incident to the fundamental law of such association as a re-enactment, digest, or embodiment of all the legislation and judicial decisions of the Sovereign Grand Lodge up to the last session of that Grand Body, many of them stated only in digest form—imperfect, incomplete and not explained by the instrument itself, but requiring the production of an entirely different instrument, paper or book to complete many of the sentences and hence liable to uncertainty, confusion and conflicting constructions, is not such an instrument as will be approved as a Grand Lodge constitution.

1068. "The Grand Lodge, whenever it desires to submit its Constitution or amendments thereto to the S. G. L. for approval, is required first to furnish the Grand Secretary with a complete copy of the Constitution, with all amendments thereto, accompanied by a certificate from the Grand Lodge, attested by the Grand Secretary and the seal of the Grand Body attached," and to furnish the documents in such form as to distinguish by marginal memoranda or otherwise such parts of the revised instrument as have not already received the sanction of the Sovereign Grand Lodge.

CONSTITUTIONS—Grand Lodge.

1069. All laws sent to the S. G. L. for approval shall bear the seal of the body adopting them, and all documents without a seal (where the body has one) shall be returned without consideration.

1070. The Constitution of a Grand Body can only be amended in the manner prescribed by its own constitution, although it be merely to amend a provision so as to make it conform to the law of the Sovereign Grand Lodge with which it conflicts.

1071. It shall be the duty of the Grand Secretary, on or before the first day of March, of the year in which proposed amendments may be acted upon by the Grand Lodge, to forward to each Subordinate Lodge a certified copy of all such amendments as shall have been proposed, at the same time informing said Lodges that the said amendments will be considered and acted upon at the next Annual Session of the Grand Lodge.

1072. There is no law or precedence that can compel a Grand Lodge to amend its Constitution except in the manner prescribed therein.

1073. The question was asked, "Has the Sovereign Grand Lodge the power to alter the charter or Constitution of a Grand Lodge after it has been submitted to the Sovereign Grand Lodge and approved without first obtaining the consent of the Grand Lodge?" To which it was held as follows: In answer to that part of the question which touches the alteration of the charter of a Grand Lodge the committee say that the Sovereign Grand Lodge has no power to make such alteration without the consent of the Grand Lodge. In answer to the remainder of the question, the Sovereign Grand Lodge has abundant power to direct any Grand Lodge to remove any clause or article from its constitution or by-laws which may conflict with the fundamental laws of the Order, even though such constitution or by-laws may have been approved by this body. If it be necessary to explain this position it is only necessary to add that the examination of constitutions is entrusted by the Sovereign Grand Lodge entirely to one of its standing committees (now to the Grand Sire during the recess). In the press and hurry of business that committee might accidentally overlook erroneous provisions and report in favor of approving. It would be a monstrous supposition that the Sovereign Grand Lodge, by the adoption of the report of the committee, would sanction a violation of its own laws.

1074. A proposed amendment to the Constitution of a Grand Body will not be approved by the Sovereign Grand Lodge. It must be first adopted by the State Grand Body.

1075. A resolution passed with all the formalities to amend the constitution of a Grand Body does legally amend the constitution in the particulars specified therein, although it does not refer to the section which it amends, the intention of the mover and of the Lodge itself being too plain for cavil. The lack of form does not affect the substance.

1076. The law providing for the amendment to the Constitution of a Grand Body does not properly apply to the work of framing a new Constitution for the Grand Body. A committee for such purpose should be appointed with instructions to report at the next annual session. (See Amendments.)

1077. When a Constitution of a Grand Body has been revised by a committee appointed for that purpose and sundry amendments made thereto, the revised instrument comes under the requirments of the old one in force, and is passed as an amendment.

1078. A Grand Body may by resolution create an exception to a formal law. For instance, it may provide a lower rate of admission fee for persons about to be made charter members, while the Constitution is not thereby altered or suspended as to all others.

CONSTITUTIONS—Grand Lodge.

1079. The Sovereign Grand Lodge and Grand Lodges have no other way than by resolution to enact laws for the government of Subordinate Lodges under their immediate jurisdiction, respectively.

1080. A resolution construing a Constitutional provision introducing entirely new conditions which were omitted from the law itself must be passed by the same vote and with all the formalities required to amend the article it proposes to construe, as it is in fact an amendment to the constitution under the guise of construing an article thereof. This is not, however, to be construed as interfering with the province of the Grand Lodge to interpret its own Constitution or the Constitution of its subordinates, if the meaning of any article is obscure and the interpretation does not change clearly and palpably the meaning thereof.

(b). Subordinate Lodges.

1081. The Grand Lodge, being expressly declared the legislative head of the Order in this jurisdiction, has unquestionably the power to adopt a uniform system of Constitution for its Subordinate Lodges, and they are bound to conform to such Constitution.

1082. This Constitution contains provisions which are fundamental in character and necessary to the existence of the Lodge. It is an uniform system, common alike to all the Lodges, and they are bound to conform thereto.

1083. It can only be altered or amended by the Grand Lodge, and in the manner pointed out in the fundamental law of that body; therefore a resolution by that body, which in effect is an amendment to or suspends, or nullifies the Subordinate Lodge Constitution, or any part thereof, not passed in exact accordance with the requirements of the Grand Lodge Constitution, is absolutely void.

1084. The Grand Master has no authority to suspend the Constitution for Subordinate Lodges, either as having reference to all the Lodges or to a particular Lodge, and any dispensation by him in conflict with the Constitution is void.

1085. For example, a resolution granting a dispensation for one year to subordinates to receive members at a less sum than the Constitutional limit, is in effect an amendment to the Constitution, and where the requirements of the law is that it requires a two-thirds vote to amend the Constitution, such resolution passed by a majority vote of the Grand Body, and without complying with the requirements of the laws for its amendment, does not amend it.

1086. When the Constitution of a Grand Lodge provided that amendments to the same, and to the Constitution for Subordinate Lodges, should lie over one year; held that when a committee was appointed to revise the Constitution and By-Laws of the Grand Lodge and the Constitution for Subordinate Lodges, and made their report at the next annual communication, wherein only various changes were made in the Constitution, but the old code was not reported, only the changes, the adoption of such report at that session was illegal.

1087. A proposed amendment cannot be amended when it comes up for action, where the Constitution provides that it shall be altered or amended only by a proposition in writing at a regular annual communication, which proposition shall be entered upon the journal, and shall not be acted upon until the next annual communication of the Grand Body, at which time such amendment may be considered, and if agreed to by a two-thirds vote of the representatives present shall be adopted.

CONTEMPT.

See Trial for Charges.

1088. If a member accused by charges after proper notice from the Trial Committee, shall refuse to appear before that committee, either personally or as represented by counsel, he is in contempt; and upon formal presentation of a charge thereof by the Trial Committee to the Lodge, it may authorize that committee to try the brother for the contempt, whereupon, after legal notice thereof, should he again fail to appear he may be tried in his absence for the contempt and expelled.

1089. No other offense against the Lodge carries the extreme penalty of a trial without the accused being present.

1090. When a party is expelled for contempt in not appearing for trial, the record should by some positive evidence show that a copy of the charges was served on the accused, as well as sufficient notice of the time and place of trial and a summons to the accused to be present.

1091. Notice to appear must be served according to the letter of the law prescribed as a general and local requirement for such service, and when such notice has not been properly served the accused shall have the benefit of the doubt.

1092. Where charges are preferred against a brother who has absconded or who, from his permanent absence or concealment, cannot be found, the laws provide for constructive notice and service of the charges, but it is specially provided that if he return after the conclusion of his trial, and asks for a new trial, the same must be granted him.

1093. In a trial for charges brought by the Lodge against a brother, he failing to appear would constitute contempt, for which the only penalty is expulsion. Where the case, however, is a claim for benefits, which is a civil action brought by the brother against the Lodge, if he fails to appear, his case simply drops.

1094. It appears that a brother appealed from a decision of his Lodge, refusing him benefits; that the matter was referred to a Commissioner, and that he failed to appear at one or more of the meetings appointed by said Commissioner. For this he was deemed guilty of contempt and suspended for three months. The brother's appeal was sustained and the action of the Lodge reversed, for the reasons that a charge of contempt cannot lie in a case of failure to appear before a Commissioner in an appeal for benefits brought by the member himself, and that suspension for contempt is not a legal penalty for failure to appear under such circumstances.

1095. A brother cannot be tried for contempt where his absence was caused by sickness, particularly where he is on the sick list and notifies the Noble Grand that he cannot attend, and asks that a brother be appointed to represent him.

1096. When a conviction for contempt during a trial on charges is reversed by the Grand Lodge, the Lodge can then proceed with the trial on the original charges.

1097. Charges have been preferred against a brother. He does not appear for trial before the Trial Committee on the day set for the trial. The committee then set another day for the trial, and so notified the brother, but he again failed to appear or send an excuse. The Trial Committee made a report to the Lodge, charging the brother with contempt. The Lodge, by an error, took action on the report, and without preferring a charge for contempt, reprimanded the brother. Under the circumstances, the conviction is erroneous, but the charges originally preferred still remain against the brother.

CONTEMPT.

1098. A Lodge can require a member to appear to receive a reprimand after it has been fixed as a penalty by the Lodge. If he refuses to appear after summons to do so, the Lodge may try him for contempt and punish him as the law provides.

1099. It is a sufficient answer to a charge of contempt that a brother has received no notice of the charges or of the meeting for the reason that he had been absent from home on business, and that he was guiltless of any intention of contempt.

1100. If a brother guilty of an offense which would subject him to trial and punishment by his Lodge should, before charges are preferred, wilfully absent himself so that such notice cannot be served on him, he may be expelled for contempt. Beyond this the Lodge cannot proceed in action based upon the filing of charges.

1101. The refusal or wilful neglect of a member of a Subordinate Lodge to appear and answer to charges preferred against him constitutes "contempt," and will render the member liable to punishment therefor.

1102. The provisions of a Subordinate By-Law that "if the accused neglects or refuses to remain throughout the investigation or trial, the Lodge may proceed in his absence to expel him for contempt," does not apply to a case where he appears by counsel.

1103. A brother who appears before the committee of trial by counsel, ready to proceed with the case, is not guilty of contempt of the Lodge, and cannot be punished in such case for not appearing in person.

1104. A Trial Committee, after having taken testimony at several meetings at which the accused and his counsel were present, adjourned to the Lodge room at the hour of the meeting of the Lodge. The counsel of the accused, an Odd Fellow in good standing, could not gain admittance, not having either the password or a card, and in consequence of this the accused, after objecting to proceeding with the trial in the absence of his counsel, left the Lodge-room. After this the committee reported charges against him of contempt, and he was expelled. Held that this not only denied the brother the privilege and forbid the performance of the duty of attending his regular Lodge meetings, but denied him the well established right of representation by counsel. Therefore, the brother's expulsion for contempt, under these circumstances, was an arbitrary exercise of unlawful power. The brother was reinstated.

CONTINGENT FUND.

(*See* Special Five Per Cent. Fund.)

1105. A member of a Lodge having died and bequeathed a piece of property to the Lodge, the Lodge may, if it so resolves, set aside the money received from the sale of the property as a contingent fund.

CONTINUANCES.

(*See* Trial for Charges, sub-division Counsel and Continuances).

CONVENTIONS.

1106. The Grand Lodge is directed by the Sovereign Grand Lodge to prohibit Subordinate Lodges in this jurisdiction from assembling in convention for the purpose of legislating upon any subject without having first obtained the consent of the Grand Lodge.

1107. A Subordinate Lodge holding fellowship in any convention convened under the name of the I. O. O. F., without the approval of the Grand Lodge, shall forfeit its warrant and all other privileges in the Order. As far back as 1847 the Sovereign Grand Lodge declared that subordinates

CONVENTIONS.

have no right to assemble in conventions, and in 1851 it was made the duty of Grand Lodges to prohibit subordinates from meeting in conventions. It therefore becomes the bounden duty of the Grand Master to prohibit the Subordinate Lodges from sending representatives to or from meeting in any convention held during the recess of the Grand Lodge.

1108. Such a convention would be a "gross departure from the spirit and intentions of the Order," calculated to direct the attention of the uninitiated to the Order, and to bring it into discredit and disrepute among all law-loving and law-abiding citizens—a generator of discord—"uncongenial to that Friendship, Love and Truth which is the brightest gem in the diadem of an Odd Fellow." The holding of such a convention is not only illegal and insubordinate, but totally unnecessary.

1109. The holding of conventions for political purposes is a gross departure from the spirit and intentions of the Order. Such conventions are calculated to direct the attention of the uninitiated to the Order, and excite remarks calculated to bring the Order into disrepute and discredit among all law-loving and law-abiding citizens.

1110. Odd Fellowship is better promoted by attending its Lodge meetings than by commingling in the strifes and contests for office, which are, too often, the generators of heart-burnings, bickering and discord among men, uncongenial to that Friendship, Love and Truth which, like humility in the Christian's crown, is the brightest gem in the diadem of an Odd Fellow.

COSTS.

(*See* Charges, Trial).

1111. The law of the Order makes no provision for the recovery of costs of an appeal by one litigant from another; therefore costs made by one party cannot be recovered from the other, no matter what may be the result of the litigation

1112. When a brother loses a suit brought against the Lodge in the Civil Courts, the Lodge has the right to retain accrued benefits as a set off against the brother for cost of the suit.

COSTUMES.

1113. The costumes used in conferring Lodge and Encampment degrees form part of the paraphernalia belonging to the secret work, and it is improper to make a public display of them.

1114. It is not lawful for Odd Fellows to enact a drama on the stage in public in uniform and the regalia of the Order, although the drama be founded upon the principles of Odd Fellowship and designed to illustrate "Charity."

1115. The prohibition against a public display of the costumes is equally strong where the costumes are worn out and no longer serviceable.

1116. The paraphernalia used in the secret work cannot be worn by the officers on the occasion of a public entertainment or anniversary of a Lodge.

1117. It is a violation of law to have photographs taken of a degree staff in its paraphernalia, even if such pictures are to be hung in the Lodge-room and none are sold or offered for sale. Neither is it admissible to photograph groups of ritualistic characters, and thereby represent pictures of any portion of the ritualistic floor work of the various branches of the Order, without special permission of the Sovereign Grand Lodge, nor is a subordinate Lodge, or a member thereof, allowed to manufacture or sell photographs of scenes in the dramatic work.

COUNSEL.

(*See* Trial for Charges, Subdivision Counsel and Continuances).

CREDENTIALS.

1118. By universal usage and the common law of all legislative bodies, no newly-elected member has any rights as such until his credentials have been properly passed upon by the body to which he has been elected. It follows, that until he is so admitted to membership in the Grand Lodge, he has no right in any manner or for any purpose to claim the title or exercise any of the functions of a representative.

1119. Where a brother elected to the office of Representative presents his certificate of election to the Noble Grand for signature, the Noble Grand cannot refuse to sign the same nor declare the office vacant on the ground that the brother when elected was not qualified by the laws of the Order. The Grand Lodge has reserved unto itself the right to determine who is and who is not entitled to a seat in that body.

1120. This must not be confounded with the right of a Past Grand to admission to membership in the Grand Lodge, and to receive the Grand Lodge Degree, as there he obtains the right by service in office in the Subordinate Lodge, and if he comes with a proper certificate, he must be admitted.

1121. It is improper for a committee on credentials to accept the resignation of a duly elected and accredited representative and substitute therefor another Past Grand of the same Lodge, even at the request and with the consent of such representative. Only those who have been regularly elected by their Lodges and hold the proper credentials can be legally admitted as representatives.

1122. The Committee on Credentials reported that some papers had been presented to them that were irregular and of no effect, among them one in which a representative had deputed a Past Grand to appear for, and represent him, although it is printed in every copy of the Journal that goes out, "Substitutes or proxies are not allowed." The committee desired it to be noted that they could not present illegal papers, although it might involve a loss of mileage to the holder.

1123. "Good standing" is required as qualification for representative. Under a Constitutional requirement of "good standing" as a requisite qualification for the office of representative, the election of a brother not in good standing at the time to such office is void. Under such Constitutional provision a representative elect cannot pay up after election and thereby qualify himself.

1124. The Committee on Credentials may hear testimony concerning an illegal or improper election for representative, which it will report to the Grand Lodge, together with its recommendations thereon, and the Grand Lodge may determine the contest.

1125. In the case where two credentials were received, signed with the names of the same officers, and under the seal of the Lodge, the one credential bearing date of the 5th day of October, contained the name of M. as the representative, and the other, bearing date the 26th day of October, the name of Mc. as the representative. The committee examined the matter carefully, and found the following to be the facts in the case: At the regular election for officers held on the evening of September 28, two Past Grands were candidates for representative who were nominated at the previous meeting, Mc. and M. A ballot was had, and Mc. having received a majority of four votes, was declared elected by the Noble Grand. At the next meeting of the Lodge, October 5, when the D. D. G. M. came to install the officers of the Lodge, he was informed by the Secretary that two brothers had voted at the election who were in arrears, whereupon the D. D. G. M. declared the election illegal, and ordered another election, when Bro. M. having received a majority of the votes cast, the Noble Grand declared him elected. The D. D. G. M. erred in setting aside the election of representative, and declar-

ing it illegal, as that is a matter over which the Grand Lodge has exclusive control. And even if the Secretary could have known upon which side the two brothers who were in arrears had voted, it would not have changed the result.

1126. In a case where two credentials were presented, each bearing date the 9th day of April, signed with the names of the same officers and under the seal of the Lodge, the one credential contained the name of O. as representative, and the other that of F. as the representative (Brother F. was in attendance at the session), and by examining the Semi-Annual Report of the Lodge in possession of the Grand Secretary, the Committee on Credentials found that Brother F. is there returned as the representative; it was held that the weight of the evidence is in favor of Brother F., and he was therefore recognized as the representative of the Lodge.

1127. Where a credential was presented by the representative in attendance, properly signed by the officers of the Lodge, and under its seal, but there was no name of a representative inserted in the credential, the committee called the brother claiming to be the reprsentative of the Lodge before them and examined him. They also examined the Semi-Annual Report of the Lodge, in possession of the Grand Secretary, to ascertain the name of the representative of the Lodge. The committee was satisfied that W., who was present representing the Lodge, was the regularly elected representative thereof, and he was recognized as such.

1128. Where a brother was present claiming to be the representative of his Lodge, and did not have any credential as representative, neither did his name appear upon the Semi-Annual Journal, the Credential Committee called upon the Grand Secretary for the Semi-Annual Report of the Lodge, when it was found that no report from that Lodge was in his possession. The Committee, while anxious to do justice to the Brother, found there was not a particle of legal evidence to show that he is the representative, they did not recommend that he be recognized; but in view of the fact that he has been present during the entire session acting as the representative of the Lodge, if he furnish his credential as representative to the chairman of the Committee on Credentials within ten days, that his name be then placed upon the list of representatives, and he be entitled to mileage the same as though he had presented his credential at the regular time, which was adopted by the Grand Lodge.

1129. A certificate of election as a representative is only prima facie evidence of qualification. If the Grand Lodge ascertains that the facts asserted in the certificate are incorrectly stated, the certificate may be set aside and the seat founded thereon may be vacated.

CRIME.

1130. When a member of the Order is convicted of a crime and is sentenced and is serving a term in a State Prison, charges shall be preferred against him in the Lodge of which he is a member, and upon the facts being established and the member fully identified, he must be expelled.

1131. A mere misdemeanor, under the criminal code of the community, need not necessarily invoke so severe a punishment as expulsion. In such case the Lodge determines the degree of punishment.

1132. In a case where the charge upon which the accused was convicted was by the law of the land a misdemeanor, the punishment imposed by the Lodge was ten years' suspension. By local law, a judgment of suspension could be imposed by a mere majority, while a judgment of expulsion required a two-thirds vote. Held that ten years' suspension was practically an expulsion, and that the Lodge, under the name of suspension, could not, by a mere majority vote, practically expel a member for an alleged offense.

CRIME.

1133. Where a member of a Lodge has been charged in the criminal court with the commission of a crime, and subsequently charges are preferred against him in the Lodge for the same offense, the better plan of procedure would be that no trial take place in the Lodge in advance of a trial in the regular courts, as the matter having been brought within its jurisdiction, no prejudice should be cast upon the work of the regular tribunal. When, however, he has been convicted, the record of conviction may be used in the trial before the Lodge.

1134. A record of a trial in the courts upon a charge of the violation of the laws of the land is prima facie proof of the facts appearing therein, and where charges are preferred against a brother for a violation of the laws of the Order, being the same upon which he has been tried in the courts, the record in the courts is competent proof in the trial in the Lodge and is conclusive, unless other evidence be introduced besides that in the record, and on such trial either party may introduce such evidence as is not embraced in the record.

1135. The acquittal of a brother in the civil courts of a charge of murder is not of itself a sufficient defense in a trial by the Lodge.

1136. A Lodge is not liable for benefits claimed on account of an injury received or sickness contracted whilst the brother is engaged in acts of treason or rebellion, or is acting in violation of the laws of the land. If the brother is compelled to act by force, that should be received in extenuation of the offence, but would not entitle him to benefits. For example: Where a claim was made for eleven weeks' benefits, which the Lodge declined to pay for the reason that the accident to the brother was caused by his arm being broken in a fight, it was held that the brother was not entitled.

1137. It is conduct unbecoming an Odd Fellow for one to be a chronic wife beater.

1138. A Lodge cannot lawfully suspend a member without preferring charges against him, he having pleaded guilty to the charge of forgery in court and been sentenced to serve time in prison. The Lodge will have to prefer charges in the regular way, and upon conviction, expel him.

1139. A member is indicted under the penal law of a State or country and pleads "guilty" before trial in his Lodge. Held that such plea in the courts is equivalent to a conviction.

DEBATE.

1140. It is inexpedient and improper for a Lodge to confer upon the members of another Lodge the freedom of debate upon all questions that may come before the Lodge.

DECISIONS.

(*See* Appeals, Questions, Mandate).

1141. The interpretation of the laws of the Grand Lodge during its recess is vested in its principal officer, subject to appeal and review by the Grand Lodge at its session following. The Grand Lodge, however, cannot reverse a decision of the Grand Master upon facts which were not before him, but is confined to the record as reviewed by him. Nor can the decision of the Grand Master be amended by the Grand Lodge by adding thereto something that is legislation.

1142. Questions of law must go from Subordinate Lodges to the Grand Master. After the Grand Master has decided a question for a Subordinate Lodge, said Lodge, if not satisfied, can only seek redress by an appeal, properly presented, to the Grand Lodge, and said Lodge must abide the decision of the Grand Master until said decision is reversed by the Grand Lodge of the jurisdiction.

DECISIONS.

1143. The Grand Master in any given case in the recess of the Grand Lodge has the authority, where there are no provisions in the Constitution or By-Laws of the jurisdiction affecting the question of law to be decided, to determine and decide upon general legal principles what the law governing the particular case is, and his decision, when so made, is binding until reversed.

1144. The Grand Lodge is the law-making power. The Grand Master has no authority to ordain or enact laws in the intervals between the communications of the Grand Lodge, but may, in doubtful cases, declare the laws and usages of the Order.

1145. A decision of the Grand Master is binding until reversed by the Grand Lodge, unless his decision is in direct conflict with the Constitution and laws of the Sovereign Grand Lodge, or the Constitution and By-Laws of the Grand Lodge.

1146. He may seek the Grand Sire's opinion thereon and such opinion is mandatory, even as to the local law. The responsibility of interpreting and executing the local law, however, rests on the Grand Master.

1147. The Grand Master has no power to interpret the Constitution of his Grand Lodge as it applies to an act already committed by the Grand Lodge.

1148. The Grand Master is not the law-making power; he cannot ordain enact or make laws or rules of procedure. His functions are ministerial and judicial, not legislative.

1149. The Grand Master has no right to refuse to answer the questions propounded by one of his Subordinate Lodges, or that may come to him on an appeal from the action of a Subordinate Lodge.

1150. The decisions of the Grand Master are reported by him to the Annual Session of the Grand Lodge and are in full force until reversed by the Grand Lodge. The plain intendment of this provision, as shown by the reports of the several Grand Masters and the action thereon by the Grand Lodge, is that the Grand Master shall report all decisions which are contested by the Lodges for which they were severally made. That he should not report decisions which are reaffirmances of other decisions or of laws that already appear upon the records of the Grand Lodge, and that he should report only such other of his uncontested decisions as in his judgment should be submitted to the Grand Lodge in order that upon approval thereof, these may supplement, explain or elucidate the laws already in force and become binding upon all the Lodges and members in this jurisdiction.

1151. The decisions of the Grand Master, approved by the Grand Lodge, stand as law upon a point not covered by the Constitution.

1152. A Grand Master, as the executive officer of a Grand Lodge, must see that the law and practice of the Order is observed throughout his jurisdiction, and in correcting errors and irregularities, or giving instructions he is responsible for his acts, and therefore should employ such means to accomplish his purpose as in his judgment may seem to be necessary and safe and for which he is willing to be held responsible.

1153. Irregularities arising out of the violation of law can only be healed by the authority competent to pass the law; if the law violated was "one of general application," the Sovereign Grand Lodge alone is such competent authority.

1154. It is therefore provided that the Grand Sire may hear and decide such questions, including questions arising out of the Constitutions of the several State, District or Territorial Grand Lodges, as may be submitted to him by the several Grand Lodges or by the Grand Masters thereof, or by the Grand Representatives; and his decisions upon all appeals and ques-

DECISIONS.

tions so submitted to him shall be binding upon the bodies or persons submitting the same until reversed by the Sovereign Grand Lodge.

1155. But no Lodge, subordinate to any State, District or Territorial Grand Lodge, has a right to present questions of law directly to the Grand Sire for his decision. All such questions must go through the channel provided by the local law.

1156. When a construction or interpretation of local law is required by any individual member or subordinate in this jurisdiction, the Grand Lodge is the proper tribunal to pronounce on the question, subject to appeal to the Sovereign Grand Lodge.

1157. The duty of the Grand Master would seem to be plain, namely to seek advice, where advice is needed, from the Grand Sire on questions of general law, and to report to the Grand Lodge such of his decisions on local law as require its legislation or approval, because of their being appealed from, or being of general interest; but in every case, whether the decision be based on general or local law, the remedy for the party aggrieved is by appeal to the Grand Lodge from the decision of the Grand Master, and then to the Sovereign Grand Lodge, whether the wrong complained of be to a Lodge or to an individual member.

DECLINING BENEFITS.

1158. A member of a Subordinate Lodge can decline to receive sick benefits which are due him, said act being in fact a donation by him to the Lodge. After the reception of such declination by his Lodge, in the absence of local legislation, he is forever barred from further right to demand said benefits.

1159. A brother becomes insane, and the court appoints a Trust Company as his guardian; he has no dependent relatives. The Lodge offers to pay the weekly benefits to the Trust Company; the president declines to accept them, saying, "We will not trouble the Lodge for benefits." As the Trust Company acts as the legal guardian for the insane brother, they exercise all the rights and privileges that he could exercise if clothed in his right mind, and the declination by the guardian of the sick benefits is a donation to the Lodge.

1160. Where a brother claims a certain number of weeks' benefits and the Lodge sends him an order for less than the full amount, with a receipt to be signed in full for all demands, and he declines the payment and insists upon the full amount due him, he does not thereby lose his right to the tendered amount, even if his claim (for a greater amount) should, on appeal, be adjudged against him.

DEDICATION.

1161. A dedication in Odd Fellowship is the act of consecrating or setting apart to a fraternal use, with appropriate solemnities, a building or other structure or estate, erected or acquired for some particular purpose. It is a very old custom and is a duty that has always been confided to the rulers or chief magistrates, hence, in the authorized dedication ceremonies issued by the Sovereign Grand Lodge, the officers are titled the same as the officers of the Grand Lodge. It is a public manifestation that thereby the object dedicated has been devoted to the uses and purposes for which the same is intended, and is as well a formal recognition that the purpose to be attained through the use of the building, structure, or estate, has the approval of the Order in this jurisdiction. For example, in the matter of a certain Home of the Order in Pennsylvania, the Grand Lodge enacted that upon said Home being organized according to the conditions made by the Grand Lodge, the Grand Master was instructed to dedicate the same in the name of the Order to the uses and purposes for which the same was intended, and that he formally recognize the same as one of the charities of the Order.

DEFUNCT CERTIFICATE.

[For the general provisions concerning the issuance of Cards and Certificates to members of Defunct Lodges, *See* Defunct Lodges.]

1162. Defunct Certificates may be issued by the Grand Lodge to those members who were in good standing when their Subordinate Lodge became defunct, and who apply for the same after one year from the date of surrender. The general regulations concerning the issuance are the same as for Withdrawal Cards issued to members of defunct Lodges.

1163. Defunct Certificates have the same privileges, and are to be recognized by every subordinate to which they may be presented, whether in or out of the jurisdiction issuing them, as having the same force and effect as an expired Withdrawal Card that had been issued by an existing subordinate in good standing.

1164. A Defunct Certificate will enable the holder to join another Subordinate Lodge as an "Ancient Odd Fellow." A certificate issued to a member of a defunct Lodge does not have the effect of a Withdrawal Card in date from a Subordinate Lodge. It has only the effect of a Withdrawal Card over a year old. The Grand Lodge card obtained by a member of a defunct subordinate from the Grand Secretary of the Grand Lodge of his jurisdiction gives him only the rights of an Ancient Odd Fellow.

1165. A Defunct Certificate is distinctly different from a Dismissal Certificate, and applies to a different class of brothers.

1166. It is competent for a Grand Body to grant a card to enable a member of a defunct Subordinate Lodge to join another subordinate, although the brother is at the time largely in arrears to such defunct subordinate. This discretionary power implies, of course, a wise and judicious investigation of the circumstances of every case presented.

1167. Members of a defunct subordinate will be chargeable with dues up to the date when such subordinate shall legally vote to surrender its charter, or, in the event of no such action by the subordinate, then to the date when the charter shall be sent by its last officers to the Grand Lodge or its executive; and if no action is taken by the subordinate or its officers, then to the date when, by local or general authority, the charter is forfeited; provided, that in no case shall the amount charged exceed one year's dues.

1168. When the books of a defunct Lodge are in the possession of the Grand Secretary, he may issue cards to former members of the defunct subordinate, and he may also issue them, on being satisfied of the good standing of any such member, in case the books are lost or destroyed; provided, that he shall require satisfactory evidence that the applicant is at the time worthy of recommendation to the friendship and protection of the brotherhood.

DEFUNCT LODGES.

(a). By Forfeiture. (b) By Surrender. (c). Property of.

See Charter.
Resuscitation.
Consolidation of Lodges.
See Reinstatement.
Board of Grand Officers.
Appendix.

(a). By Forfeiture.

1169. The suspension of a Lodge takes effect from the time such suspension is published or proclaimed, and as soon as practicable it is the duty of the Grand Officers to make such proclamation.

1170. If a Lodge is expelled its functions cease altogether.

1171. When a Lodge is suspended or expelled its functions cease; not merely as to certain purposes, but all purposes.

DEFUNCT LODGES—By Forfeiture.

1172. The individual members are suspended from their privileges in the Order.

1173. A member of a suspended or expelled Lodge has not the right to visit on an unexpired Visiting Card granted prior to such suspension or expulsion; but it is competent for a Subordinate Lodge to receive on deposit a Withdrawal Card from such suspended or expelled Lodge, if, at the time it was granted, the Lodge labored under no disability, a card of clearance, relating alone to the past. The reason the rule is otherwise as to Visiting Cards or Official Certificates is that they speak in the present of the connection of the bearer, whose right undoubtedly expires with his Lodge.

(b). By Surrender.

1174. When a charter has ceased through surrender the Lodge ceases to be a working Lodge, but individual rights of the members, as members of the Order, are not thereby affected, except that they are in abeyance, and therefore a member may visit on a card granted by the Lodge prior to the surrender of its charter, or on a Withdrawal Card issued within one year from that date.

1175. By the surrender the Grand Lodge has, among other things, become vested with the rights of the Lodge, or rather in the exercise of its functions, in so far as they may be necessary to enable the members of the defunct lodge to transfer and thus renew their active membership in the Order, or to personally withdraw therefrom.

1176. Within one year from the date of surrender a member who was at that time in good standing, by paying his dues up to the date of surrender and the price for the card, can obtain from the Grand Secretary a Withdrawal Card, which card shall be good for one year from the date the Lodge surrendered, and no longer, which card shall have the same privileges and is to be recognized by every Lodge to which it is presented, whether in or out of his jurisdiction, as having the same force and effect as a Withdrawal Card that has been issued by an existing Lodge in good standing, and will enable the holder to visit other Lodges and to join another Lodge.

1177. If a brother in good standing at the time the Lodge surrendered permits a year or more to elapse since the date of surrender, he cannot receive a Withdrawal Card, but will be entitled to a Defunct Certificate, which is issued to members of defunct Lodges in good standing at the time of surrender. He must pay his dues to the time of surrender. This certificate, when issued, will have the same force and effect as an expired Withdrawal Card that has been issued by an existing subordinate in good standing, and likewise makes him an Ancient Odd Fellow.

1178. If the brother, at the time the Lodge became defunct, was in arrears for more than one year's dues, or was suspended for non-payment of dues, then, on the payment of the price of the certificate and his arrears for dues, which in no case shall be computed to be more than the total charges for one year's dues, he may receive from the Grand Secretary a Dismissal Certificate, which shall have the same privileges, and is to be recognized by every Lodge to which it may be presented as having the same force and effect as a Dismissal Certificate that has been issued by an existing Lodge.

1179. It is competent for the Grand Lodge to grant a card to enable a member of a defunct Subordinate Lodge to join another Subordinate Lodge, although the brother is, at the time, largely in arrears to such defunct subordinate. This discretionary power implies, of course, a wise and judicious investigation of the circumstances of every case presented.

1180. A brother who has been expelled from a Lodge which subsequently becomes extinct, can only regain membership in the Order through the Grand Lodge to which the Lodge he belonged was subordinate.

DEFUNCT LODGES—By Surrender.

1181. An expelled member of a defunct Lodge can only regain membership through the action of the Board of Grand Lodge Officers.

1182. A member of a defunct Lodge, when applying for a card or certificate, must furnish the Grand Secretary with satisfactory evidence that the applicant is, at this time, worthy of recommendation to the friendship and protection of the brotherhood.

1183. Grand Lodge Certificates issued to members of an extinct subordinate by the Grand Secretary, in conformity with the existing laws of the Sovereign Grand Lodge, do not require the counter-signature of the Grand Secretary of the Sovereign Grand Lodge to make them available.

1184. The Grand Lodge may grant a duplicate Dismissal Certificate or Withdrawal Card to a member of a defunct Lodge of this jurisdiction who has lost or mislaid the original. For example, a brother received from his Lodge a Dismissal Certificate; the Lodge became defunct, and, having never disposed of his Dismissal Certificate, lost or mislaid it, under these circumstances the Grand Lodge may grant him a duplicate Dismissal Certificate, although he was not a member of the Lodge at the time it surrendered its charter. There is no other source for the brother to receive a Dismissal Certificate except from the Grand Master and Grand Secretary during the interim, or from the Grand Lodge itself at the session.

(c.) Property of.

1185. On the dissolution of a Lodge all its assets become the property of the Grand Lodge.

1186. Everything, no matter how trifling, must be delivered up to the Grand Secretary, emblems, regalia, working effects, books, rituals, account books, moneys, membership records, ledger, cash book, minute book, seal and the like.

1187. The available and unavailable funds must be delivered or assigned to the Board of Grand Officers, or to the Trustee selected by them.

1188. The real estate of a defunct Lodge vests in the Grand Lodge, and the Grand Lodge can invoke legal remedies to enforce its right in any or all of the property of the defunct Lodge.

1189. Whenever the property of a defunct Lodge shall not be called for within one year, the same shall be sold and a special entry of the amount received therefor be made by the Grand Treasurer to the credit of said Lodge.

1190. All the moneys and property coming to the hands of the Grand Lodge is treated as a trust fund, of which the Board of Grand Lodge Officers are the trustees.

1191. Regalia of Lodges which have surrendered their charters can be sold. The proceeds of sale should be placed to the credit of such surrendered Lodge.

DEGREES.

(a). General Principles.
(b). On Those Initiated Prior to July 1, 1882
(c). On New Members.
(d). Past Official Degree.
(e). Grand Lodge Degree.
(f). Pseudo Degrees.

See Ballot.
Initiation.
Degree Lodge.

See Degree Staff.
Institution of New Lodges.
Special Sessions of Grand Lodge.

(a). General Principles.

1192. The right to confer the subordinate degrees upon their own members is guaranteed to Subordinate Lodges by their charters. It is an inherent right, and no State authority is competent to contravene it. The authority thus given to the Subordinate Lodge is consequently made the duty of the Noble Grand, as its presiding officer.

1193. This right is not lost by the formation of a Degree Lodge in the territorial jurisdiction of a Subordinate Lodge.

1194. A Lodge is prohibited from conferring the degrees upon a member of another Lodge, without the consent of his Lodge, given under its seal. The penalty for which is that if the degrees be so conferred without the consent of the Lodge to which the member belongs, the fees received therefor must be paid over to the Lodge of which the recipient of the degree is a member. In this jurisdiction the initiation fee includes the fees for all the degrees and the election to membership includes the right to all four degrees in their proper sequence; provided, that it is not discovered that the initiate is an improper person for membership, when his further progress may be halted, charges preferred, and, if found guilty, the member expelled. The true reason for the law is therefore not the loss of the fees, which is impossible under our law, but that by so acting a Lodge may unwarrantably confer full membership in another Lodge upon an unworthy or disqualified person.

1195. It is the duty of any Lodge, upon the presentation of a duly authenticated degree certificate, if the holder is in good standing (which will be evidenced by his having the Semi-Annual Pass Word, or an Official Certicate showing dues paid in advance of the date of presentation, or a Visiting Card in date), to confer the degrees upon the candidate holding and presenting such certificate.

1196. A certificate to authorize a brother to receive his degrees away from the location of his Lodge can only be granted by application in writing to his Lodge at a regular session, and when open in the Third Degree. When the Lodge is open as a degree Lodge, that is, in any of the lower degrees, the application cannot be made or granted.

1197. When a member desiring to receive the higher degrees is located in a distant place, so as not to be able to attend his Lodge, upon his making application in proper form, his Lodge may grant him a certificate, directed to the Lodge nearest his location. A certificate to authorize a brother to receive his degrees away from the location of his Lodge, can only be granted by application to his Lodge at a regular session. The certificate entitling a brother to receive the degrees must be signed by the Noble Grand and Secretary, under the seal of the Lodge.

1198. The following form of certificate may be used:

.....Lodge, No....., I. O. O. F.

....., ..., 19...

To the Officers and Members of any Lodge, I. O. O. F.

Greeting.—You are hereby requested to confer the.....degree upon Brother....., a member of this Lodge in good standing. who has

been elected to receive said degree and paid his full initiation fee, which by the laws of this jurisdiction, entitles him to receive all the other degrees without further charge therefor. Please advise us of the compliance with this request, and the date of conferring the degree.

....., Noble Grand.

....., Recording Secretary.

(L. S.)

1199. The initiatory is a degree in Odd Fellowship, but is not numbered as such. The four degrees in Odd Fellowship are denominated, Initiatory, First, Second and Third Degrees.

1200. The initiation of a member into a Subordinate Lodge must take place in the Lodge to which the applicant is elected. This is the general law without exception.

1201. Initiation of members in Subordinate Lodges must take place in the Subordinate Lodge to which the applicant is elected. By "the Lodge" to which he is elected is meant not merely the members composing that Lodge, wherever they may be assembled, but those members, or a quorum of them, regularly assembled at a legally authorized time and place. Members of the Lodge to which the candidate is elected cannot take the applicant into the hall of a neighboring Lodge and have the initiation take place there by a staff of that Lodge.

1202. An applicant for membership in the Order who has been elected in a Lodge where he resides cannot be initiated in a Lodge located where he may have a temporary residence upon the request of the Lodge electing him.

1203. Statement—Mr. A. files an application for membership by initiation in Lodge No. 1. By that Lodge he is elected to membership. Lodge No. 1 issues order requesting Lodge No. 2 to confer the Initiatory Degree. The brother signs the Constitution of Lodge No. 2. Question—Where is the brother's membership, in the Lodge that elected him, or in the Lodge that initiated him? Answer—The brother's membership is in the Lodge that elected him, although his initiation was illegal.

1204. All the business of the Subordinate Lodge shall be transacted in the Third Degree, or the Degree of Truth. The Lodge shall open in each degree, for the purpose of conferring the degrees, and each degree shall be conferred when it is opened in that degree.

1205. Every Subordinate Lodge must open in the Third Degree, and no other form of opening is recognized by our laws. When reduced, for the purpose of conferring the degrees, to the Initiatory, the First or Second Degree, it is the same Lodge, but open for specific purposes only, in a lower degree. The Subordinate Lodge opened at the beginning is not closed, in any sense, except to confer degrees, until formally closed at the end of the session; but when open to confer any lower degree, any member who has received such degree, is entitled to be admitted, and to remain while such degree is being conferred.

1206. In conferring the degrees, Lodges must open in the degree to be conferred, when all the brothers who have taken the degree can be present.

1207. When a Lodge is open in the First Degree and has concluded the business to be transacted in such degree, and desires to open in the Second Degree, the Lodge must close in the First Degree before opening in the Second Degree, in the manner and form prescribed by the Ritual, and the same rule applies to all degrees.

1208. It is not necessary for the officers to enter from or retire to the ante-room through the door in charge of the Inside Guardian, nor need they address the chair, as directed by the Ritual.

DEGREES—General Principles.

1209. In conferring degrees a member cannot occupy any position or deliver any charge that he is not qualified to fill or deliver by virtue of the rank he has attained as a member of the Order.

1210. The degrees must be conferred in their numerical order.

1211. In all cases when a candidate enters the hall to receive a degree, he shall appear without regalia.

1212. It is improper to make a public display of the costumes used in conferring the Lodge degrees.

1213. The time for conferring the degrees should be left to the control of subordinates, subject to such rules as may be prescribed by local legislation. They may be conferred at other than regular meetings.

1214. A Lodge has the right to set apart a particular stated meeting in each month for the purpose of conferring each degree, and cannot be required to confer the degrees on nights other than those set apart.

1215. When it is desired to confer more than two degrees upon the same evening upon a brother, a dispensation must be applied for before the Degrees are conferred. It is a compliance with this law if the dispensation be granted and the fee therefor paid prior to the formal application to the Lodge for the degrees. Where a Lodge has a stated meeting night set apart each month for the conferring of a degree, and for any reason—such as there being a public holiday or by lack of a quorum—no meeting is held, so that a brother would not get his degree on the particular night when he should have received the some, the Lodge may hold a special session before the next meeting for the purpose of conferring upon the brother this degree, so that he may receive his remaining degrees in proper course.

1216. A Lodge has no power to authorize the conferring of degrees upon a sick brother at his residence.

1217. A Lodge may confer the Initiatory Degree on the same night that they ballot for a candidate, provided they have a dispensation for that purpose.

1218. No Lodge room shall be used for the conferring of any degrees or secret work not provided for by the existing laws of the Order; any officer of a Subordinate or other Lodge, who may aid or permit such degrees to be conferred in such Lodge-rooms, shall be guilty of a violation of the laws of the Order. Provided, that this shall not be interpreted so as to affect any such proceedings as may be had in such Lodge-rooms by other secret associations not under the color of Odd Fellowship.

1219. A Lodge has the legal right to require proficiency in the Unwritten Work of the last Degree taken as a condition precedent to a candidate advancing to the next higher degree.

1220. Where the By-Laws of a Lodge require that a brother, before he can be advanced from one degree to another, shall pass a satisfactory examination in open Lodge in regard to his proficiency in the preceding degrees, in order to ask the question whether the members are satisfied with the examination, it is necessary to close in the degree in which the examination was had, and re-open in the Third Degree for said purpose.

1221. No matter what may be the rule in the Lodge, a Noble Grand, or his Lodge, cannot refuse to confer a degree upon a brother of another Lodge who is unable to prove himself in the degree or degrees which he claims to have previously obtained, if the brother holds a certificate from his Lodge of his eligibility to the degree which he desires to have conferred upon him. It is the duty of any Lodge, upon the presentation of a duly authenticated Degree Certificate and proper identification, if the holder is in good standing, to confer the degrees upon the candidate holding and presenting such certificate.

DEGREES—General Principles.

1222. It is not lawful for a Lodge to initiate one candidate and permit others to sit and witness such initiation. All must pass through the ceremony.

1223. It is within the discretion of a Lodge to permit the candidate to stand or be seated during the delivery of the Past Grand's charge.

1224. Appropriate music is allowable while conferring the degrees, as the Lodge or degree staff may deem advisable.

1225. Where a Lodge of another jurisdiction initiated a brother, and said brother leaves the jurisdiction and comes to Pennsylvania, and requests a Lodge nearest his residence in this State to confer the First, Second and Third Degrees upon him. He presents proper papers from his own Lodge, with their request that the degrees be conferred upon him. The Lodge confers the degrees without further permission. It does not get any fees for the three degrees, and it should report to the brother's Lodge that they have conferred the degrees on him.

1226. The requirement that the degrees shall be conferred in their numerical order does not entitle any brother to receive more than one degree the same day, except by dispensation. The price of the dispensation shall be fifty cents for each degree.

1227. A brother may apply for a degree or degrees on the evening of his initiation, or at any other meeting, under dispensation which can be granted by the D. D. G. M., or Grand Master for reasons satisfactory to himself. In granting such dispensations the Grand Secretary acts as the special deputy for the Grand Master.

1228. An initiate who is found not to have been eligible to membership is not qualified for the degrees, and the Lodge should not advance him.

1229. A Lodge has the authority to confer the degrees upon other nights than that of its regular meeting.

1230. The Sovereign Grand Lodge was asked to confer authority upon Subordinate Lodges to set apart a stated evening in each month, other than the regular stated meeting night of the Lodge, for the purpose of conferring the degrees of the Order upon duly qualified brothers, provided, that this shall not authorize the conferring of the degrees on Sunday; to which it was answered that the Sovereign Grand Lodge knows of no law which requires that the degrees shall be conferred at a regular session of the Lodge, and it seems eminently proper that the time of conferring degrees should be left to the control of subordinates, subject to such rules as may be prescribed by local legislation.

1231. There is no law compelling a Lodge to give a brother a degree, no matter how good he may stand on the books of the Lodge, if it appear that he is ineligible to membership, and that his election was improperly obtained, in that he has not the necessary qualifications for membership, and it is for the voters to decide whether he shall advance or not; no one, under our present system, can question their right to reject or refuse to confer the degree on any brother.

1232. A brother who was thoroughly sound when he received the First Degree, but who afterwards becomes afflicted through natural or accidental cause, is not entitled, as a matter of law, to receive the remaining degrees.

1233. The question of the advancement of a brother to a higher degree is discretionary with the Lodge. It is clearly understood to be the law of the Order that in the matter of conferring degrees the authority to do so rests with the Subordinate Lodges, and these bodies have the right to confer or refuse to confer, as may seem best to them. The Subordinate Lodge is the foundation of the Order, and it is a wise and proper regulation which leaves the question of the advancement of a brother to higher degrees discretionary with the Lodge.

DEGREES.

(b). As to those Initiated Prior to July 1, 1882.

See Initiate.

1234. All ballots upon applications for degrees must be had when the Lodge is opened in the Third Degree.

1235. Balloting for all the degrees must take place in the Third Degree, and in the absence of local legislation a separate ballot for each degree must be had.

1236. All ballots upon applications to receive degrees should be spread on the minutes separately.

1237. The time for balloting for degrees is a subject for local legislation, and a Grand Lodge may by general law provide that one or more weeks shall elapse from the date of the application before balloting thereon, but in the absence of local legislation, the balloting for degrees must be upon the same evening on which the application is made therefor.

1238. Upon the application of those who received the Initiatory Degree prior to July 1, 1882, for any of the higher degrees, a ballot must be had upon granting the degree for which the application is made, whilst the Lodge is working in the Third Degree. No ballot can be had, or vote taken, except in the Third Degree. All applications for degrees and the balloting thereon must be had at the regular stated meeting nights of the Lodge, and at no other time.

1239. The fees to be paid for the degrees by those initiated prior to July 1, 1882, shall be regulated by the By-Laws, but in no case shall it be less than fifty cents for each degree.

1240. Three black balls reject an application for degrees of a member initiated prior to July 1, 1882, and the same cannot be renewed within six months. In no case can the ballot upon a rejected application be reconsidered, unless all the parties who may have cast black balls shall voluntarily ask for such reconsideration.

1241. All members of the Order who have heretofore received the First and Second Degrees under the old work, shall be entitled to rank as members of the First Degree of the Revised Work. All members who have received the Third and Fourth Degrees of the old work, shall be entitled to rank as members of the Second Degree of the Revised Work; and all members who have received the Fifth Degree of the old work, shall be entitled to rank as members of the Third Degree of the Revised Work, without charge.

(c). New Members.

1242. The fees to be paid for the degrees by those elected since July 1, 1882, and for conferring them, are included in the fee for initiation fixed by the By-Laws. The ballot by which the candidate was elected to membership elects to the Initiatory and First, Second and Third Degrees without further action.

1243. A provision of law made by a Grand Lodge that all degrees shall be conferred without other balloting than for the Initiatory Degree, is legal.

(d). Past Official Degree.

1244. The Past Official Degree is a reward for actual service in office in a Subordinate Lodge, and may be conferred at any proper time and place on those who have earned it and produce proper certificates from Lodges in which it has been earned. The Past Official Degree can only be obtained as the direct result of service rendered in office, and cannot be conferred by resolution, either of the Grand Lodge or a Subordinate Lodge.

DEGREES—Past Official Degree.

1245. Upon an application made personally, or otherwise, by a past officer who has served as Noble Grand a majority of the nights of a term (provided he has served to the end of the term), or by one who has been elected to office and served the balance of an unexpired term, a certificate to receive the Past Official Degree must be given without a vote of the Lodge, by direction of the Noble Grand.

1246. The Grand Lodge is authorized to confer the Grand Lodge and Past Official Degrees upon Past Grands of another State jurisdiction, upon the presentation of a Visiting Card from their own Lodge, and also a certificate executed by the Grand Master and Grand Secretary, under the seal of the Grand Lodge to whose jurisdiction such Past Grands belong, that they are eligible and entitled to the same.

1247. The Past Official Degree cannot be granted by dispensation, nor conferred by resolution.

1248. The Past Official Degree may be conferred outside of the Grand Lodge, if such body has authorized it to be so conferred; but it can only be conferred in the presence of those who are Past Grands, and who are in possession of the Past Official Degree. There does not appear to have ever been any legislation by the Grand Lodge of Pennsylvania authorizing the conferring of the Past Official Degree, except at the special or stated sessions of the Grand Lodge, held for the purpose of conferring the Grand Lodge Degree, and for the admission of Past Grands.

1249. In no case shall a certificate be granted to, nor shall a Past Official Degree be conferred upon a brother who has not served a majority of nights of a term in that office (except to one who has been prevented by sickness, or who has been elected to serve the balance of a term), nor to one who has resigned the office or vacated the chairs before the expiration of the term for which he was elected.

1250. A brother is entitled to the Past Official Degree upon the expiration of his term in the office of Noble Grand, although he may have been re-elected Noble Grand.

1251. A Past Grand who joins a Lodge in this jurisdiction on a card from another, must also present a certificate to the Lodge that he is a Past Grand. He may be subsequently elected Representative to the Grand Lodge; but in addition to the Representative's Certificate, he must present a Transfer Certificate from the Lodge that he represents, certifying that he is a Past Grand, and is entitled to the Past Official and the Grand Lodge Degrees. He can then be admitted to membership and to a seat in the Grand Lodge.

1252. A Vice Grand who, by reason of some event fills the chair of the Noble Grand to the end of a term, is not entitled to the honors of the station, without a previous election to and installation into that office.

(e). Grand Lodge Degree.

See **Special Sessions.**

1253. The Grand Lodge is prohibited from conferring the Grand Lodge Degree for a pecuniary consideration, and with a view of increasing its revenue, or for any other consideration except the regular performance of the duty of the Noble Grand's chair, the said degree having been designed as a reward for faithful service in the Subordinate Lodge, and it can only be given when a Past Grand becomes a member of the Grand Lodge.

1254. The Grand Lodge Degree can only be conferred by the Grand Lodge, in the room or in some contiguous room where the Grand Lodge is assembled. It cannot be conferred by a District Deputy Grand Master.

DEGREES—Grand Lodge Degree.

1255. The Grand Lodge Degree can only be conferred at a regular session of the Grand Lodge, or at a special session called for that purpose, and when a quorum, under the law, is present and it can only be conferred by the officer legally authorized, who is either the Grand Master, the Deputy Grand Master or the Grand Warden. But the Grand Secretary must be present.

1256. The Grand Lodge many hold special sessions as often as may be deemed necessary, to give instructions in the Unwritten Work of the Order, and to confer the Past Official or Grand Lodge Degrees, respectively, at such places within this jurisdiction as may be determined by the Grand Master.

1257. The Grand Lodge may confer the degree upon its own members upon admission, and upon a Past Grand of another jurisdiction upon the presentation of a Visiting Card from his own Lodge, and also a certificate executed by the Grand Master and Grand Secretary under the seal of the Grand Lodge to whose jurisdiction the Past Grand belongs, that he is eligible and entitled to the same. Neither a Grand Master nor the Grand Lodge has the right to confer Past Official Degrees on a brother from another jurisdiction at the request of the Lodge of which said brother is a member; It can properly only be done at the request of the Grand Lodge having jurisdiction over the subordinate in which the brother has earned the degrees.

1258. The Grand Lodge Degree may be conferred upon Past Grands belonging to Subordinate Lodges under the immediate jurisdiction of the Sovereign Grand Lodge on the presentation of a proper certificate signed by the Grand Sire and Grand Secretary of the Sovereign Grand Lodge, and attested by the seal of the Sovereign Grand Lodge.

1259. The amount and character of evidence which may be required by the Grand Lodge Officers before conferring the Grand Lodge Degree is a matter to be determined by the legislation of the Grand Lodge.

1260. A Past Grand who has received his certificate from his Lodge and desires to have the Grand Lodge Degree conferred upon him, must have the Password of the Third Degree and the Password of the Current Term, before he can be admitted.

1261. When a Past Grand presents a proper certificate of qualification, the Grand Lodge has no authority to reject him upon alleged improprieties of conduct. If he come properly accredited he should be received.

1262. To entitle a Past Grand to the Grand Lodge Degree he must produce a certificate from the Subordinate Lodge of which he is a member, certifying that he is a member in good standing, that he has been duly elected to and has served in the office of Noble Grand a majority of the nights of a term (provided he has served to the end of the term), or by one who has been elected to office and served the balance of an unexpired term, that he has filled the office in a satisfactory manner, and has received the First, Second and Third Degrees, and that he is entitled to membership in the Grand Lodge of Pennsylvania, with a request that he be received and acknowledged as such, which certificate shall be signed by the Noble Grand and Secretary, and be attested by the seal of the Lodge. This certificate, after being examined by the Deputy Grand Master or Grand Warden, and found correct, shall be delivered to the Grand Conductor, who shall prove the candidate in the degrees, and if found correct he shall be introduced to the Grand Lodge and admitted to membership in the usual form and with the usual ceremony.

1263. A Past Grand cannot under any circumstances, receive the Grand Lodge Degree and be admitted to membership in the Grand Lodge without presenting a regular Past Grand's Certificate. A Past Grand cannot be admitted upon a Representative's Certificate or Credential, nor upon the semi-annual report of his Lodge, nor upon any voucher except the certificate prescribed in the Constitution of the Grand Lodge. Neither the Grand Lodge Officers or the Grand Lodge can override the Constitution.

DEGREES—Grand Lodge Degree.

1264. A Past Grand who is a member of a subordinate Lodge in this jurisdiction and received his degrees and served in the office of Noble Grand in a regularly chartered Lodge of the I. O. O. F. under the jurisdiction of this Grand Lodge may receive the Grand Lodge Degree and be admitted to membership in the Grand Lodge upon producing a certificate from the Lodge of which he is a member in the following form:

FORM OF PAST GRAND'S CERTIFICATE.

To be filled up in duplicate, properly attested, and one copy handed to the brother, the other to be mailed by the Secretary of the Lodge to the Grand Secretary.

N. B.—This Certificate will entitle a Past Grand to be admitted to membership in the Grand Lodge, but will not entitle him to a seat as Representative.

To the Grand Lodge of Pennsylvania, I. O. O. F.:

.....Lodge, No.,

This is to certify that Past Grand.....(write first name in full)..... is a member, in good standing, in this Lodge; that he has been duly elected to, and has served in the office of Noble Grand for one elective term next ensuing his election, discharging the duties of the office in a satisfactory manner; that he has received the First, Second and Third Degrees, and that he is entitled to membership in the Grand Lodge of Pennsylvania. We, therefore, respectfully request that he may be acknowledged accordingly.

In witness whereof, we have hereunto set our hands, and affixed the seal of the Lodge, this.....day of.....190...

....., Noble Grand.

(Term Commencing.)

....., Secretary.

(Seal.)

1265. A Noble Grand is entitled to the honor and rank of Past Grand if the nights he actually served added to the nights he was excused for sickness would make a majority of the meeting nights of the term. If the nights he actually served as Noble Grand would not make a majority of the nights, and it should be necessary to include some of the nights when he was absent under excuse, if the minutes do not show that he was excused under leave of absence, then the Lodge should by some action taken, show he was excused or under leave, if such was the case, as the certificate of the Secretary under seal would not be sufficient, if the minutes did not show the granting of such excuse or leave. The Certificate of the Secretary to be in force in this state of the record should be executed by authority of the Lodge. If the facts are as stated it is proper for the Lodge to take some action showing it and authorizing the Certificate of the Secretary.

Under the conditions mentioned in this paragraph, the following form will be used:

FORM OF PAST GRAND'S CERTIFICATE.

To be filled up in duplicate properly attested, and one copy handed to the brother the other to be mailed by the Secretary of the Lodge to the Grand Secretary.

N. B.—This Certificate will entitle a Past Grand to be admitted to Membership in the Grand Lodge, but will not entitle him to a seat at Representative.

To the Grand Lodge of Pennsylvania, I. O. O. F.:

....., ...Lodge, No.....,

This is to Certify, That Past Grand..... is a member, in good standing, in this Lodge; that he has been duly elected to, was regularly installed into and has served in the office of Noble Grand,[1]

[1] This blank to be filled in with a statement of the actual service of the Brother as Noble Grand.

.....during the elective term next ensuing his elec-

DEGREES—Grand Lodge Degree.

tion, discharging the duties of the office in a satisfactory manner; that he has received the First, Second, and Third Degrees, and that he is entitled to membership in the Grand Lodge of Pennsylvania.

This Lodge excused the absences of the Noble Grand which were occasioned by his sickness, so that counting the nights of his actual service as Noble Grand with those nights the Lodge legally excused him, makes a majority of the meeting nights of the term. We, therefore, respectfully request that he may be acknowledged accordingly.

In Witness Whereof, at the direction of this Lodge, we have hereunto set our hands, and affixed the seal of the Lodge, this.....day of.....19.....

.....Noble Grand.

.....Secretary.

[Seal.]

1266. When Lodges consolidate during a term and thereby the officers of the Lodge lose their position, the Noble Grand shall not lose the honors of the office, but shall be entitled to the same provided he has served a majority of the meetings, prior to such consolidation.

1267. A Noble Grand who shall have served a majority of the meeting nights of a regular term and shall have continued in office until the end thereof, shall be deemed to have served a full term. A majority of the meetings of a six months term of a subordinate Lodge is fourteen.

1268. A Noble Grand elected to fill a vacancy who shall serve therein until the end of the term, whether the service be for one meeting or longer, occupies the status of having served a full term in such office, and is entitled to receive the honors of the office. A Noble Grand who has been elected to fill a vacancy who shall have served a majority of the meeting nights remaining in such unexpired term, and to the end thereof, shall be deemed to have served a full term in such office.

1269. In case the Noble Grand has served only a majority of the meeting nights of the term or is filling an unexpired term, or has served a majority of the meeting nights of a term prior to the consolidation of his Lodge, the following form will be used:

FORM OF PAST GRAND'S CERTIFICATE.

To be filled up in duplicate properly attested, and one copy handed to the brother the other mailed by the Secretary of the Lodge to the Grand Secretary.

N. B.—This Certificate will entitle a Past Grand to be admitted to Membership in the Grand Lodge, but will not entitle him to a seat as Representative

To the Grand Lodge of Pennsylvania, I. O. O. F.:

.....Lodge, No.....

This is to Certify, That Past Grand.....
is a member, in good standing, in this Lodge; that he has been duly elected to, was regularly installed into and has served in the office of Noble Grand,[1]

1 This blank to be filled in with a statement of the actual service of the Brother as Noble Grand.

during the elective term next ensuing his election, discharging the duties of the office in a satisfactory manner; that he has received the First, Second, and Third Degrees, and that he is entitled to membership in the Grand Lodge of Pennsylvania. We, therefore, respectfully request that he may be acknowledged accordingly.

In Witness Whereof, we have hereunto set our hands, and affixed the seal o the Lodge, this.....day of.....19.....

.....Noble Grand.

.....Secretary.

Seal.]

DEGREES—Grand Lodge Degree.

1270. A Past Grand having served in another jurisdiction may be admitted to membership herein by producing a certificate from the Lodge in this jurisdiction to which he is attached, certifying that he is a member in good standing therein, and that at his admission to membership satisfactory evidence was received that he had duly served one elective term as Noble Grand, and requesting that he may be acknowledged as such.

[See *Transfer of Membership* for form of Transfer Certificate to be used for a Past Grand who passed the chairs in another Jurisdiction, who has been admitted to membership herein.]

1271. A Past Grand who has passed the chairs in a Lodge in this jurisdiction, and who deposits his card in another Lodge, shall be acknowledged upon presenting to the Grand Lodge a proper certificate from the Lodge in which the card is deposited.

The following form will be used:

TRANSFER CERTIFICATE.

.....Lodge, No....

To the Grand Lodge of Pennsylvania, I. O. O. F.:

This is to certify, That Past Grand formerly of.....Lodge, No.....,deposited Card in Lodge, No. and we request that may be acknowledged accordingly.

In witness whereof we have hereunto set our hands and affixed the seal of the Lodge, this.....day of.....19...

.....Noble Grand.

Attest: Secretary.

Seal.

(f). Pseudo Degrees.

1272. No Lodge room within the jurisdiction of the Sovereign Grand Lodge shall be used for the conferring of any degrees or secret work not provided for by the existing laws of the Order.

1273. Any officer of Subordinate or other Lodge, or Lodges, who may aid or permit such degrees to be conferred in such Lodge-rooms shall be guilty of a violation of the laws of the Order; provided, that this resolution shall not be interpreted so as to affect any such proceedings as may be had in such Lodge-rooms by other secret associations not under the color of Odd Fellowship.

1274. The Sovereign Grand Lodge has directed that the Grand Sire enforce the law of the Order prohibiting the creation of any degree or organization based on membership or affiliation with this Order, or using any name connected with this Order, or affiliation with any division of this Order, unless the same shall have been lawfully authorized by the Sovereign Grand Lodge, and to cause charges to be preferred against any officer or member of this Order encouraging or ordering such proceedings.

1275. The So-called "Oriental Degree" is no part of Odd Fellowship. No such proceedings as the conferring of this degree can be tolerated in or by a Lodge of Odd Fellows. If members of the Order wish to indulge in such vulgar and indecent proceedings, it must be done upon their individual responsibility and outside of our organization. It is a slander upon the Order to assert that the conferring of said degree is "appropriate exercises" at the celebration of the Anniversary of a Lodge.

1276. As regards the "Oriental Degree," the Grand Lodge of Pennsylvania most decidedly approves the statement above made. While Odd Fellowship does not claim to restrain any of its members from innocent amusement, or the enjoyment of anything not forbidden by our laws, there is within this latitude much that it would not only be improper but wrong to mix up with Odd Fellowship; and there is nothing that has ever been engrafted on, or attempted to be connected with our beloved institution, so inconsistent with all its teachings as this degree, and we deem it no apology

to say that it is not done in the Lodge, but we consider it a great discredit to know that Odd Fellows have been encouraged in it.

1277. Information having reached the Grand Master that a degree was being conferred in some Lodge-rooms, after the Lodge had closed, called the "Parallel Degree," leading the unwary to suppose that the degree had some connection with Odd Fellowship, he issued his mandate prohibiting it, saying, inter alia: "This Pseudo Degree, being not only inappropriate, on account of its having no connection with the Order, but being, as I am well advised, entirely unsuited to representation within the sacred walls of a Lodge-room, I deem it to be my duty, in the performance of the high trust with which I have been charged, to interdict the conferring of the so-called 'degree' in the rooms over which the Lodges have control. Should members of the Order persist in attempting to lower its character by introducing unseemly and vulgar performances within its Lodge-rooms, their conduct will merit and receive the severest reprobation."

DEGREE LODGES.

1278. There is no distinct law for instituting Degree Lodges, and their legality has been acquiesced in by the Sovereign Grand Lodge, and the charge books of the Order, by implication, recognize their legal existence.

1279. In 1829, Degree Lodges were instituted by the Grand Lodge of Pennsylvania. Prior to this, degrees were conferred (as in Great Britain) on Sundays, in the Lodge rooms, and the act was called "delivering lecture." The plan was followed by several of the State Grand Lodges—not without resistance, however, in some of them, by the Subordinate Lodges, whose charters authorized them to perform this work. Other State Grand Lodges modified the plan by the organization of a Degree Committee in each Subordinate Lodge, composed of its most experienced and best qualified Past Grands and officers. In others still, the duty of conferring degrees was vested in the D. D. G. Masters and Lecture Masters, selected and authorized by them, in conjunction with such members of the Lodge as these latter might select as assistants. This is especially the case, even where Degree Lodges are recognized, in districts where there is but one Lodge, or where it would be inconvenient to establish a Degree Lodge."

1280. Degree Lodges receive their charters from the Grand Lodge upon application of thirty Scarlet or Third Degree members, members of Subordinate Lodges, and are liable to the same rules of suspension or forfeiture as those of Subordinate Lodges.

1281. The qualifications for office in a Degree Lodge is a subject for local legislation.

1282. The Sovereign Grand Lodge has said that it is not expedient to confer any title or honorary distinction upon Past Degree Masters.

1283. Membership in good standing in a Subordinate Lodge is requisite for membership in a Degree Lodge. It is therefore illegal to provide by law that members of a Degree Lodge who take Withdrawal Cards from their Subordinate Lodge may retain membership in a Degree Lodge for the space of three months.

1284. A Subordinate Lodge, when open for the purpose of conferring degrees upon its own members, does not thereby become a Degree Lodge, but it is merely performing a duty and exercising a privilege which appertains to it under its charter as a Subordinate Lodge. It is the same Third Degree Lodge in which it opened its session.

DEGREE STAFF.

1285. No power resides in a Lodge to deprive the Noble Grand of his Constitutional authority, or to prevent him from exercising his lawful prerogative to give instructions to a Degree Staff; or to give a Captain of a Degree Staff any authority which will deprive the Noble Grand of his obligated duties and rights to oversee and control initiatory and degree work when the Lodge is in session, or when the Degree Staff is drilling.

DEGREE STAFF.

1286. A By-Law which provided that "The Junior Past Grand, Noble Grand, Vice Grand and Secretary of the Lodge shall compose the Degree Committee to confer the degrees of the Order upon any member of this Lodge who has been balloted for and elected to receive the same, according to the provisions of this Article," is void, as it is in conflict with the laws of the Sovereign Grand Lodge, which make it the prerogative of the Noble Grand of the Lodge to perform this duty.

1287. A By-Law which reads: "A Degree Committee shall be chosen by ballot at the first regular meeting in January, to serve one year, whose duty it shall be to confer all degrees given by the Lodge and to transact such other business in the degrees as may properly come before them," is also illegal, and therefore void.

1288. A member cannot occupy any position, deliver any charge, or conduct any work in a Degree Staff that he is not qualified to fill, deliver or conduct by the rank he has attained as a member of the Order.

1289. It is not proper, in a Degree Staff, for any other member of the Order than the Noble Grand or a Past Grand to occupy the chair of the Noble Grand, except that, in the absence of the Noble Grand, the Vice Grand may occupy the chair.

1290. In a Degree Staff, it is not proper for any other member to occupy the chair of a Vice Grand other than the Vice Grand, a Past Vice Grand or a Past Grand.

1291. It is not necessary for the Degree Staff to enter from or retire to the ante-room through the doorway in charge of the Inside Guardian, nor need they address the chairs, as directed in the Ritual.

1292. The obligation to a candidate must be administered by a Vice Grand or a Past Vice Grand. Where the instructions in "floor work" say that "positions on a staff are to be governed by the question of fitness," it means fitness within the limitations of law.

DEPUTY GRAND MASTER.

See **Grand Master.**

1293. The duties of the Deputy Grand Master are fully set forth in the obligation and charge of office at his installation, and in the Constitution and By-Laws of the Grand Lodge.

1294. He, or the Grand Warden, shall examine all certificates recommending Past Grands to membership in the Grand Lodge.

1295. The removal of a Deputy Grand Master from the jurisdiction vacates his office, and he is not eligible to the office of Grand Master in this jurisdiction by reason of any right arising out of his election as Deputy Grand Master.

1296. The Deputy Grand Master acting as Grand Master, without election or installation in case of a vacancy in that office, cannot rank at the end of the term as Past Grand Master.

1297. This principle was first enunciated by the Sovereign Grand Lodge in 1885, and reaffirmed in 1900, when the Constitution of the Grand Lodge of Pennsylvania was before it for approval. The section of our Grand Lodge Constitution which read as adopted by this Grand Lodge as follows: "In case of the death, resignation or removal of the Grand Master, the Deputy Grand Master shall become the Grand Master for the unexpired term, *and upon its expiration shall become entitled to the honors of a Past Grand Master provided he has thereby served six months or more as Grand Master,*" was changed by striking out all the words above italicized, principally, from what appears in the report of the Committee on Constitutions, because the Deputy Grand Master would not have thereby been elected to the office

of Grand Master. The question, however, is not capable of exact interpretation in the present state of the general law on the subject although it involves the highest honor to be conferred in this jurisdiction namely—that of Past Grand Master and life membership in the Grand Lodge, and while it is evident that the Sovereign Grand Lodge has apparently changed its previous rulings on the subject, in a later case, nevertheless, until it has spoken more authoritatively and made general law on the subject the special ruling made in reference to the Constitution of the Grand Lodge of Pennsylvania, must stand as stated in the preceding section.

DEVISE.

See Bequest.

DIPLOMAS.

1298. All diplomas not issued or sanctioned by the Sovereign Grand Lodge of the I. O. O. F. are illegal, and it is improper and illegal for the officers of Subordinate Lodges to sign such diplomas, and they are null and void.

1299. Diplomas shall be delivered to Grand Lodges, signed by the Grand Secretary of the Sovereign Grand Lodge, and when said Diplomas are delivered to members of the Order they shall receive the signature of the Grand Master of the Grand Lodge to which the recipient belongs.

1300. No Diploma shall be granted except by a vote of the Grand Lodge or of the Subordinate Lodge to which the member belongs, in this jurisdiction.

1301. A Past Grand is entitled to have his rank shown in a Diploma issued to him by his Lodge, whether or not he has been admitted to the Grand Lodge.

DISMISSAL CERTIFICATES.

See Suspension for Non-payment of Dues. *See* Defunct Lodges.

1302. Dismissal Certificates can only be issued to members who have been dropped or suspended for non-payment of dues, or who, being members of a Defunct Lodge, owed at the time the Lodge became defunct, more than one year's dues.

1303. It is a settled rule of the Order, fixed by general law, that a brother suspended by his Lodge for non-payment of dues is still a member of his Lodge, and subject to its rules and discipline. He is thereby deprived of certain rights, but his membership still exists. For example, he may be tried and punished by the Lodge from which he is suspended; therefore it is not only legal for a Subordinate Lodge to entertain, permit or allow charges to be brought against a member who has an application for a Dismissal Certificate before it, whether before or after five years from date of suspension, but it is the duty of the Lodge to allow and try such charges. But a Dismissal Certificate once granted, it cannot be annulled, like an unexpired Withdrawal Card, as the holder has ceased to be a member of the Order, and is not a brother Odd Fellow, subject to the discipline of the Order. He is not even an "Ancient Odd Fellow."

1304. Where a brother, suspended for non-payment of dues in 1880, asks for a Dismissal Card, the Lodge must grant the same. Within five years after the date of suspension for non-payment of dues, the granting of a dismissal certificate is discretionary with the Lodge; after five years it becomes mandatory.

1305. Where a member was suspended for non-payment of dues, and he makes application for reinstatement, but the Lodge, by vote, refuses to reinstate him, the Lodge must grant him a Dismissal Certificate, as he is entitled thereto.

DISMISSAL CERTIFICATES.

1306. A suspended brother cannot compel his former Lodge to grant him a Dismissal Certificate, before he has been suspended five years, although the suspending Lodge has not refused to reinstate him, and there are no charges preferred, the intention being to deposit the Dismissal Certificate in his former Lodge or another Lodge in the same city, thereby escaping the payment of the usual charges for reinstatement, which, in this jurisdiction, is not less than one year's dues.

1307. In cases where the law makes it obligatory upon Lodges to grant a Dismissal Certicate to a brother suspended or dropped for non-payment of dues, it shall be the duty of the Noble Grand and Recording Secretary to issue such certificate upon proper application in open Lodge, and payment of the fee without a vote of the Lodge.

1308. The Grand Lodge, through the Grand Lodge Officers, upon proper application being made, will issue to the members of defunct Lodges entitled thereto, Dismissal Certificates according to the standing of the brothers when the Lodge surrendered its charter, and such Dismissal Certificates shall have the same force and effect as though they had been issued by a Lodge in good standing, and will enable the holder to join another Lodge.

1309. The Grand Lodge may grant a duplicate Dismissal Certificate to a member of a defunct Lodge of this jurisdiction who has lost or mislaid the original, even though the Dismissal Certificate was issued by the Lodge to the member before it became defunct. There is no other source for the brother to receive a Dismissal Certificate, under these circumstances, except from the Grand Master and Grand Secretary, during the recess, or from the Grand Lodge itself at the session.

1310. Dismissal Certificates merely recite the fact of former membership and dismissal therefrom, without endorsing the character of the holder thereof, and contain no recommendations to the care of the brotherhood.

1311. A Dismissal Certificate, when issued, shall show upon its face the highest degree and rank obtained by the brother to whom the same is issued.

1312. The Sovereign Grand Lodge has prescribed the form of Dismissal Certificate to be exclusively used throughout its jurisdiction. All Dismissal Certificates must be in the prescribed form, and bear the counter signature of the Grand Secretary of the Sovereign Grand Lodge of the I. O. O. F., or a fac simile thereof. They must be signed by the Noble Grand and attested by the Secretary of the Lodge issuing the same, and be under the seal. They must be signed by the holder thereof on the margin, in his own handwriting. None others are legal.

1313. One dollar is the fee for, or cost of a Dismissal Certificate, and no Lodge is authorized to charge any greater amount for the same.

1314. If an unworthy brother applies for a Dismissal Certificate, to which he is entitled, the Lodge must grant it; or, in the event of its refusal must bring charges and expel him from the Order; these are the only alternatives.

1315. Holders of Dismissal Certificates offering the same for deposit in any Lodge in this jurisdiction, shall be required to pay the same fee upon being admitted to membership that is required to be paid by a candidate for initiation of the same age, unless the Lodge shall fix a lesser sum by its By-Laws, which shall not be less than $3.00.

1316. Holders of Dismissal Certificates may become petitioners for the granting of a charter for a new Lodge, provided, of course, that they are oined with at least ten Third Degree members in good standing.

1317. No officer of the Order is authorized to give the secret work to a person holding a Dismissal Certificate.

DISPENSATION.

See Grand Master. *See* Grand Lodge.
District Deputy Grand Master.

1318. A dispensation in Odd Fellowship may be defined as a license granted by the Grand Master, or the Grand Lodge, relieving or exempting a person or Lodge, under certain circumstances, from the requirements, obligations or penalties of some mere regulation, but never from the requirements, obligations or penalties of the law as contained in the ritual or in the other positive enactments of the Sovereign Grand Lodge, or in the Constitution and By-Laws of the Grand Lodge, or in the Constitution and By-Laws of Subordinate Lodges, for the reason that neither the Grand Master nor his District Deputy Grand Master, nor the Grand Lodge, has the authority to make, alter, amend, change or suspend these laws, either in whole or in part; nor can these, as a fact, either in whole or in part be altered, amended, changed or suspended, except in the manner pointed out in the laws of the Order.

1319. The Committee on Judiciary of the Sovereign Grand Lodge reported to that body that they could find no general legislation on the subject of dispensations, and that as the question presented to the attention of the Judiciary Committee sets out that in the particular jurisdiction there is no local law on the subject, under these circumstances, usage and custom would control. This Sovereign Body recognizes this principle, for the inherent right of a Past Grand to vote for Grand Officers is founded alone on the fact that the right has been recognized from the origin of the Order. There is a general custom and usage that dispensations have, during the whole life of the Order, been granted by Grand Masters and Grand Patriarchs to permit subordinates to elect, initiate and advance speedily an applicant.

1320. If there is no specific law or general custom and usage during the whole life of the Order, conferring on the Grand Master the privilege of granting a certain dispensation which he may be requested to issue, the dispensation is illegal, improper, and cannot be exercised.

1321. The Grand Master has no authority to suspend the Constitution for Subordinate Lodges, and any dispensation by the Grand Master in conflict with such Constitution is void.

1322. Dispensations concerning a mere regulation, such as wearing regalia in public and the like, may be granted by the Grand Master when he may deem it for the interest of the Order, and not in violation of any fundamental law, nor inconsistent with the usages of the Order.

1323. The Grand Master is not the law-making power. He cannot ordain, enact or make laws or rules of procedure, or suspend those already made. His functions are ministerial and judicial, not legislative. He is a creature of the law, and not a creator of it, and possesses only the power conferred upon him by law.

1324. The Grand Master has not power, by virtue of his office, to grant dispensations for opening Lodges, but it is competent for his Grand Lodge to confer such power upon him.

1325. A dispensation can be obtained to confer the three (3) degrees on a candidate on the night that he receives the Initiatory Degree.

1326. A dispensation may be granted to confer the Initiatory Degree upon a candidate upon the night of his election, for which the charge will be $2.00.

1327. A dispensation may be granted to confer degrees upon a brother before one week has expired after receiving the Initiatory Degree, or to permit more than one degree to be conferred during the same evening, the price of which will be for each degree for which the dispensation is granted, 50 cents.

DISPENSATION.

1328. It is necessary to have a dispensation to install the Noble Grand and Vice Grand to fill vacancies, the Noble Grand having resigned on account of ill-health, and the Vice Grand having been elected to the Noble Grand's office. If there is no Past Grand present who will accept of the position of Noble Grand for the unexpired term, the Vice Grand may be elected to the office of Noble Grand, and installed therein upon procuring a dispensation, which dispensation must be granted before the election is held.

1329. A dispensation may be granted for a term of service, in order to qualify a brother to fill an elective office when all qualified brothers decline. The charge for dispensation for a term of service is $3.00. Neither the Grand Master nor the Grand Lodge can remit the fee for dispensations.

1330. A brother not having served a term in a subordinate office must procure a dispensation for "a term of service" to become eligible to an elective office that requires previous service.

1331. No dispensation can be granted to initiate a person into the Order who is under twenty-one years of age. The Sovereign Grand Lodge having decided by its Constitution the necessary qualifications for membership, the Grand Master has no right to change the same by dispensation, nor has the Grand Lodge any such right.

1332. A dispensation cannot be issued for one fee to confer the degrees at one time upon a number of members. The dispensation is personal, and must be paid for each candidate for the degrees.

1333. A Past Official Degree cannot be conferred by dispensation. It can be acquired only by actual service. therefore a brother cannot be made a Past Grand by dispensation.

1334. At the institution of new Lodges, dispensations to confer degrees on the petitioners upon the day of the institution may be granted free of charge. At no other time can the fee be remitted.

1335. A Subordinate Lodge, on the night of its institution, by general law, if no local law forbids, has the authority to receive applications for membership, refer, ballot, elect, initiate and confer the three degrees the same night, for the purpose of qualifying them to form a Lodge. The Grand Officers, as such, cannot after institution initiate candidates nor confer the degrees. No dispensation is necessary.

1336. A dispensation cannot be granted to a Lodge to suspend its regular meetings, except in cases of absolute necessity arising from want of a place to meet in.

1337. A dispensation cannot be granted to a Lodge to suspend the payment of weekly benefits.

1338. A Grand Master cannot grant a dispensation to reballot for applicants who have been rejected.

1339. The object of a dispensation to confer more than one degree of an evening is simply to dispense, or do away with the regulations that a certain period of time must elapse before the degrees can be conferred, or that not more than one degree can be conferred upon the same evening; it is proper that an application for a dispensation to confer them, without regard to the restrictions as to time, should be made.

1340. Grand Masters cannot grant dispensations to Subordinate Lodges allowing them to admit applicants for a less fee than called for in their By-Laws. Lodges must change their By-Laws and have them properly approved if they wish to change the initiation fee.

1341. When a dispensation paper comprises a number of names of persons to whom the same privilege is asked to be granted, or different privileges separately expressed, and consequently contains within itself requests for a number of dispensations, and where the Constitution of the Grand

DISPENSATION.

Body authorizes a fee for dispensations granted by the Executive Grand Officer thereof, each dispensation granted should be counted without regard to the combination of names and purposes on the dispensation paper.

DISTRICTS.

See Board of Grand Officers. *See* Appeals.
Homes.

1342. In changing the lines of the Districts into which the State is divided for the purpose of fixing the jurisdictions of District Deputy Grand Masters, the matter comes before the Grand Lodge by petition from one or more of the Lodges interested.

1343. The Grand Lodge in each case determines its course of procedure, irrespective of any previous course of action it may have pursued.

1344. The general rule seems to be that the Grand Lodge refers the matter to the Board of Grand Officers to investigate and report at the next session of the Grand Lodge.

1345. The usual practice of the Board of Grand Officers is to have a poll of the Lodge interested, and if desired by the Lodges, to permit the subject to be presented to their attention by the Representatives of the interested Lodges, or by holding a special meeting of the Board of Grand Officers. For the purpose of obtaining the views of the Lodges, the following form is used:

Philadelphia,.....

To the Officers and Members of Lodge, No.

Sirs and Brothers:—At the last session of the Grand Lodge,..... application was made for a division of.....County, and the matter was referred to the Board of Grand Lodge Officers, in order that the usual rule of submitting the question to every Lodge in the District should be followed; therefore, after laying the matter over for consideration for one week, having notified your members, proceed to vote upon the following question:

"Is it for the good of the Order that.....County should be divided, and if answered in the affirmative, how shall the division be made?"

Please send the result of the action of the Lodge to this office immediately afterwards upon the attached form of report.

Fraternally yours,

....., Grand Secretary.

This is to certify that at a stated meeting of..... Lodge, No....., held this.....day of....., 19.., the following preamble and resolution was adopted:

Whereas, There are.....Lodges in.....County, and the District has become too large to be properly taken care of by one District Deputy Grand Master, therefore be it

Resolved, That it is the sense of this Lodge that.....County be divided into.....Districts, to be known respectively as:

District No. 1, to contain Lodges Nos.....
District No. 2, to contain Lodges Nos
District No. 3, to contain Lodges Nos.....
No. of members voting for.....
No. of members voting against.....

....., Noble Grand.

Attest:

....., Secretary.

(Seal.)

1346. Having investigated the matter thoroughly, the Board of Grand Officers reports to the Grand Lodge its recommendations, accompanying the report with all the original papers. Whereupon the action in the Grand Lodge is on the adoption or rejection of the recommendations of the Board of

DISTRICTS.

Grand Officers, the same as on the report and resolutions offered by any other committee of the Grand Lodge.

1347. In the matter of the districts for the Orphans' Homes, so as to avoid all of the Homes making appeals to the different Lodges in the State, and so that each Home shall only appeal to the Lodges in the counties assigned to each Home, the subject was referred to the Grand Master who, after consultation with the representatives of the several Homes, arranged the same, which arrangement he reported to the Grand Lodge, which adopted the same.

1348. The matter of determining the territorial jurisdiction of each of the District Appeal Committees was referred to a special committee, who arranged the same, which arrangement was adopted by the Grand Lodge.

DISTRICT DEPUTY GRAND MASTERS.

1349. District Deputy Grand Masters are only the executive agents of the Grand Officers they represent, with a general supervisory power in the absence of their principals.

1350. They have no separate or independent existence; they are elected to office annually by their several Districts, and are not recognized as officers of the Grand Lodge.

1351. The Grand Lodge has, therefore, no authority to provide that District Deputy Grand Masters shall not be eligible to an elective office in a Subordinate Lodge.

1352. A District Deputy Grand Master has not the power to introduce visitors whose cards are out of date, that power being restricted by law to elective Grand Lodge Officers.

1353. A District Deputy Grand Master may act as Recording Secretary or Treasurer of his Lodge, but he cannot act as Noble Grand or Vice Grand of his Lodge, except pro tem during the absence of either of those officers.

1354. Their authority depends for the most part on the local law. The general laws of the Order do not seem to define their duties and powers.

1355. It is unlawful to furnish Rituals to a District Deputy Grand Master. These officers have no use for the Rituals, as all the forms used by them are printed in the institution and installation books and the Book of Forms published by the Sovereign Grand Lodge.

1356. When performing the functions of the office they have the right to wear the regalia of the officer whom they represent.

1357. A District Deputy Grand Master cannot wear the jewel of his office as a substitute for his regalia.

1358. A District Deputy Grand Master is not required by the general law of the order to have the Grand Lodge Degree, but he must have the Past Official Degree to be eligible to office.

1359. He need, however, not have the Past Official Degree to be eligible to the office of District Deputy Grand Master in those jurisdictions which confer that degree only at the sessions of the Grand Lodge.

1360. To entitle a brother to the office of District Deputy Grand Master he must be a Past Grand in good standing in a Subordinate Lodge in this jurisdiction. A Past Grand of another jurisdiction is ineligible, even to the position of a special deputy.

1361. The District Deputy Grand Master is the representative of the Grand Master in the District placed under his jurisdiction, and shall exercise therein power and authority as such. At an installation ceremony, any elective Grand Officers takes precedence of a District Deputy Grand Master.

DISTRICT DEPUTY GRAND MASTERS.

1362. He is to act for the Grand Master, and by his direction to do and perform whatever may have been ordered to be done and performed by the Grand Lodge of Pennsylvania in his District.

1363. A District Deputy Grand Master is the representative of the Grand Master, and if so authorized by the latter, by commission or special authority, may deputize some one to install for him, provided that the Grand Master is empowered so to do by local law.

1364. He acts as the Representative of the Grand Lodge of Pennsylvania and does and performs all such matters relating to the Order in his District as the Grand Lodge shall direct.

1365. He obeys all special instructions of the Grand Master in relation to anything that that officer is required to do for the "Good of the Order."

1366. The Grand Secretary is required to report to this Grand Lodge, annually, the name, location and district of every District Deputy Grand Master from whom proper reports and remittances of full amounts collected have not been received by him within one month from the proper time of installing the officers of the last Lodge in said District. The Grand Master is required to withhold his commission from any District Deputy Grand Master elect whose delinquencies have been reported to this Grand Lodge under the preceding resolution.

1367. He acts as the agent of the Grand Secretary, and obeys the special instructions of that officer.

1368. He has a general supervision over all Lodges in his District, and it is his duty to see that the "Work of the Order" is performed uniformly by such Lodges.

1369. A District Deputy Grand Master cannot legally take any action upon an act of a Lodge which is in violation of the law, when his knowledge of such act is obtained by reason of his presence in the Lodge as a member thereof.

1370. He may point out errors and call attention to violation of law, but that is all. It is his duty to report persistent violations to the Grand Master. A District Deputy Grand Master has no power, under any circumstances, to declare null and void the acts of a Subordinate Lodge.

1371. He installs or causes to be installed by a Past Grand, in regular form, at the periods designated by the regulations of the Grand Lodge of Pennsylvania, the officers duly elected and appointed in the several Lodges in his District.

1372. When a District Deputy Grand Master visits a Subordinate Lodge for the purpose of installing the officers-elect, or upon other official duty, he, as the representative of the Grand Master, shall be accorded the same honors that are given to that officer.

1373. In this jurisdiction there has been no legislation conferring upon the District Deputy Grand Master authority to grant dispensations within the territorial limitation of their several Districts as fixed by the Grand Lodge; the authority of the District Deputy Grand Master to grant a dispensation is therefore regulated entirely by custom and usage.

1374. He may grant a dispensation to confer the Initiatory Degree upon a candidate upon the night of his election, for which the charge will be $2.00.

1375. He may grant a dispensation to confer degrees upon a brother before one week has expired after receiving the Initiatory Degree, or to permit more than one degree to be conferred during the same evening, the price of which will be for each degree for which the dispensation is granted, 50 cents.

1376. He may grant a dispensation for a term of service, in order to qualify a brother to fill an elective office when all qualified brothers decline. The charge for a dispensation for a term of service is $3.00.

DISTRICT DEPUTY GRAND MASTERS.

1377. A District Deputy Grand Master cannot grant dispensations for any other than the above-mentioned purposes.

1378. A District Deputy Grand Master will forward to the Grand Secretary the amount received for dispensations, together with any discrepancy in the per capita tax and Orphan's Home Dues he may have collected or received, within one month from the proper time of installing the Officers of the last Lodge in his District, and when the dispensations in the Book of Dispensations are exhausted, he will send the stubs to the Grand Secretary and settle for the full amount of the balance found to be due for the dispensations granted, before a new book will be furnished. District Deputy Grand Masters will hand the Dispensation Books to their successors.

1379. He may be one of the committee to whom an application for a charter for a new Lodge in his District shall be referred.

1380. A District Deputy Grand Master may be removed by the Grand Master for neglect or refusal to perform duties enjoined upon him by law.

1381. A District Deputy Grand Master shall not be engaged, directly or indirectly, in the purchase or sale of regalia, jewels, or other Lodge paraphernalia during his term of office, except as a manufacturer or wholesale dealer.

1382. In case any District Deputy Grand Master shall exact or demand of any Lodge any sum of money in excess of his expenses actually and necessarily incurred when installing the officers of such a Lodge, it shall be the duty of the Grand Master, upon due proof being made of the offence, to revoke the commission of such officer and to appoint another qualified brother to fill the vacancy, subject to the approval of the Grand Lodge; and in the case of such approval, the brother removed shall thereafter be ineligible to hold said office, unless his competency shall be restored by a vote of the Grand Lodge at an Annual Session.

1383. It is legal for the District Deputy Grand Master to send through the mail to the Lodges the Traveling Pass Word in cipher.

1384. There is no law stating the number of official visits a District Deputy Grand Master must make during the year.

1385. A District Deputy Grand Master is the only person who can lawfully wear the jewel of that office.

1386. Purchasers of the jewel for District Deputy Grand Masters are permitted to keep the same as mementoes of official service.

1387. Past District Deputy Grand Masters may wear the said jewel after their term or terms of said office have expired; provided, that they shall first have an initial letter "P" placed in the center at the top of the shield in blue enamel of same size and style as the letters D. D. G. M. thereon, so that the designation of the jewel will read P. D. D. G. M.

1388. A Past Grand who is also District Deputy Grand Master for his Lodge, is not thereby disqualified to serve pro tem as Noble Grand in the absence of both that officer and the Vice Grand.

DONATIONS.

See Appropriations and Funds, Special Five Per Cent. Fund.

1389. A donation is a gratuitous gift of money, property or valuables.

1390. It is lawful for a Subordinate Lodge to donate its funds for any purpose within the object and scope of the Order.

1391. Donations may be made by Lodges to members in ill-health, though not entitled to benefits by law. A wise and prudent dispensation of donations is an integral portion of the objects of the Order. The reversionary interest

DONATIONS.

a Grand Lodge holds in the funds of its subordinates gives it an undoubted right to limit their expenses and donations to purposes within the Order, and it may, with propriety, inhibit a division of funds or other property among the members of a Lodge, either under the guise of donations or otherwise; but it would be inconsistent with the recognized rights of Lodges to subject their acts of charity in the Order to the ordeal of approval by the Grand Lodge in session, or the Grand Master during vacation.

1392. A Lodge must be just before it can be generous, and therefore it must not, by liberal donations, dissipate the funds contributed by and to be husbanded for the members of the Lodge; consequently, a donation of $2,000 to the widow of a deceased brother is a violation of the law in regard to "trust funds."

1393. In cases where the Constitution declares that members shall not be entitled to weekly benefits, a Lodge cannot evade the spirit of the law by the enactment of a By-Law rendering such disqualified members entitled to a weekly donation, as it would then, under another name, give them a weekly claim upon the funds of the Lodge, which claim is denied by the Constitution.

1394. But a Lodge may, out of its funds, donate to a brother in ill-health, as a charity, though he may not be entitled thereto by the By-Laws as a matter of right.

1395. It is illegal to directly or indirectly donate to a brother part of his initiation fee, although in accordance with an agreement between the candidate and certain members prior to the initiation.

1396. A donation to a brother from the general fund to be placed to his credit on account of dues is illegal.

1397. It is not legal for a Lodge to pay the dues of a member while enlisted in the army or navy in time of war, out of the general fund. By proper provision therefor in the By-Laws of a Lodge it may set apart the special Five per cent Fund for this purpose within legal limitations.

1398. A donation to a brother for "faithful service" is illegal, unless he is sick or distressed from such disabilities as it is the purpose of the Order to relieve.

1399. When an unsuspended member dies who was disqualified under the local laws from receiving benefits, the Lodge can donate money to bury him, and may even donate a larger sum than the By-Laws allow for a funeral benefit.

1400. Donations made to assist petitioning brothers by the parent or other Lodges for the purpose of instituting new Lodges are allowable and are in no sense to be regarded as a diversion of the funds of the Lodge. In the consideration of such action by the parent Lodge, it is recommended that the Grand Lodge or Grand Master be consulted as to its propriety.

1401. A Lodge has the right to donate money from its general funds for the benefit of an Odd Fellows' Home, or Orphans' Home, established under the laws of the Sovereign Grand Lodge and the authority of a resolution of the Grand Lodge.

1402. The funds of a Lodge may be used to purchase Veteran and Honorable Veteran Jewels for members entitled to wear them. Prior to the session of the Sovereign Grand Lodge of 1900 it was unlawful for Lodges to appropriate any portion of the Lodge funds to purchase jewels for its members.

1403. A public monument is not such an object or purpose as is contemplated by our laws to which funds of a Subordinate Lodge can or should be appropriated.

1404. A Lodge has no right to appropriate its funds for charitable purposes in no way connected with the I. O. O. F. The moneys of the Order should be husbanded for the needs of the Order, and not squandered in miscellaneous charities.

DONATIONS.

1405. A Lodge cannot donate funds to a religious association or society.

1406. Under the clause "legitimate expenses of the Order," a Lodge cannot vote money to the widow of one who was never a member of the Order.

1407. A Lodge cannot legally grant relief out of its general funds to persons outside of the Order, even though they may be in distress.

1408. A Lodge cannot lawfully, under the guise of donations, distribute or divide its funds among its members.

DORMANT LODGES.

1409. Whether a Subordinate Lodge can retain its charter and continue working after it has failed from an exhausted treasury, to pay weekly benefits to members entitled thereto, is a subject for local legislation.

1410. Although a Subordinate Lodge may cease to act as such, it is still legally in existence until its charter is surrendered and annulled. Dues continue to accumulate during such period, and the obligations of the Lodge to pay benefits exist up to the time of surrender of the charter.

1411. The Grand Lodge cannot legally grant a card to a member of a subordinate to enable him to join another Lodge, although the subordinate has not held a meeting for two terms or more, the charter of such Lodge not having been reclaimed or declared forfeited.

DRAMATIC REPRESENTATION.

1412. It is not permissible for a Lodge to present in public or in private a burlesque of any of the ceremonies of the Order, or to give in public any dramatic representation claiming to be in any way connected with our Ritual.

1413. The paraphernalia cannot lawfully be used in a burlesque. It can only be used in conferring the degrees of the Lodge, even though it is old and discarded.

DRUNKENNESS.

1414. Drunkenness is an offense against the Order at all times and in all places.

1415. A brother was charged with being found on the floor of the Lodge room intoxicated, at a time when the Lodge was not in session. At the trial he demanded that the charges be dismissed, on the ground "that the alleged offense was not committed during Lodge hours, and in consequence was not within the jurisdiction of the Lodge, and on the further ground that there is no law or precedent forbidding the alleged offense." These objections were again urged in the appeal to the Sovereign Grand Lodge. Held that the appellant should disabuse his mind of this serious misapprehension of the laws of the Order, and of the duties and obligations resting upon an Odd Fellow. Drunkenness is an offense against the Order and its laws, at all times and in all places, and the laws forbidding the offense of drunkenness are plainly written both in our Rituals and our Statutes, rules and regulations.

DUAL OFFICE HOLDING.

See Trustees, Secretary, Junior Past Grand.

1416. A brother cannot be installed into and hold, at the same time, more than one of the offices in a Subordinate Lodge provided for in the Ritual and general law. However, in jurisdictions where the local law does not inhibit, Lodges may provide by By-Law that the duties of the offices of Recording and Financial Secretary shall be combined in the one office of secretary.

DUAL OFFICE HOLDING.

1417. Unless prohibited by resolution of the Grand Lodge, one may lawfully be a trustee of a Lodge and hold any office therein at the same time.

1418. It is legal for a Lodge to elect the Junior Past Grand to the office of Recording Secretary, but the installation into such office does not vacate his chair of Sitting Past Grand. The Junior Past Grand is not an officer of the Lodge, nor is there any conflict between the duties of the two offices.

1419. On principle, a brother cannot hold the two offices of Recording Secretary and Treasurer at one and the same time, in any Lodge in the Order, Grand or Subordinate, as the case may be.

1420. A brother cannot be installed into and hold at the same time more than one of the offices in a Subordinate Lodge provided for in the Ritual and general law, but a member who holds one of such offices may serve his Lodge in some other capacity, such as Representative to the Grand Lodge, Solicitor, Janitor, etc.; provided, the duties of the several positions to which he may be appointed do not conflict, and provided, also, that the local law does not prohibit.

1421. While the law is that no brother can hold two elective offices in a Subordinate Lodge at the same time, nevertheless, an elective officer, if duly qualified, being a Past Grand, may be elected Representative.

1422. A Past Grand, otherwise qualified, can be nominated for and elected to the office of Grand Secretary and Grand Representative at the same time, and any Constitutional provision in a Subordinate Jurisdiction to the contrary is invalid.

1423. A District Deputy Grand Master may at the same time be Secretary or Treasurer of his Lodge, but he cannot legally be elected and installed as Noble Grand or Vice Grand, while holding his commission as District Deputy Grand Master.

DUES.

(a). General Principles.
(b). Who must Pay Dues.
(c). To whom must they be Paid.
(d). How and when must they be Paid.
(e). Funeral Dues.
(f). Nurse Fund Dues.
(g). Orphan's Home Dues.
See Arrears.
Suspension for Non-payment of Dues.
Assessments.
(h). Payment out of Benefits.
(i). Receipt for Dues.
(j). Quarterly Notice.
(k). When do the Dues commence.
(l). Dues Refunded.
(m). Graded Dues.
(n). The Dues Ledger.
See Fines.
Good Standing.

(a). General Principles.

1424. The payment of dues is a fundamental principle of the Order, which no Lodge, Grand or Subordinate, can dispense with or evade.

1425. The dues, primarily, is the weekly sum fixed by the By-Laws in accordance with the requirements of the Constitution, to be paid into the Lodge treasury by the members of the Lodge.

1426. It is a fundamental principle of the Order that dues accrue from week to week, and benefits are payable weekly; fractions of a week are not considered in either case. And that dues if paid to a Secretary between Lodge meetings, are credited to the Brother, as of the meeting night subsequent to the day they are paid.

1427. The fiscal week by which dues must be calculated commences at the closing of the stated meeting of the Lodge. A week has ended, and another begins, when the Noble Grand declares the Lodge to be closed.

1428. Assessments levied for funeral benefits, nurse hire or any other lawful purposes, after being charged as such and unpaid over thirteen weeks,

DUES—General Principles.

are to be added to the weekly dues and to be charged as dues as of the date of the original levy.

1429. The question whether fines are to be considered as dues, and under what regulations the same may be charged as such, is a matter that can be determined only by the Grand Lodge, but upon which it has legislated by repealing the provision that formerly was incorporated in the Subordinate Constitution, that fines are to be deducted from the first money paid into the Lodge, and by providing in said Constitution that in determining the beneficial standing of a member the time and not the amount shall be considered. If all the dues, assessments and charges that have been charged in the preceding thirteen weeks ending with the last meeting, but not including the present meeting, are unpaid, he is non-beneficial at the close of the present meeting. At the same time, it has been the law, as it was before the legislation of the Grand Lodge in 1872, that if a member or an officer is fined by the Noble Grand, or by a resolution of the Lodge, for neglect of duty or a breach of decorum, he is not suspended, if he neglects to pay his fine, but is debarred from being installed into an office, taking a card or performing any act that requires him to be clear of the books of the Lodge, and if he is taken sick the fine may be deducted from his benefits. And this is further shown by the Subordinate Constitution, when it provides that a member "who neglects or refuses to pay the dues and assessments fixed by the By-Laws for the space of twelve months," may be suspended.

1430. A By-Law requiring quarterly payments is void and of no effect. The dues of a Lodge accrue weekly, and it is the right of a member, otherwise in good standing, to pay them at any time the Lodge may be in session.

1431. The dues for the support of the Orphans' Homes are chargeable the last meeting night in March, and become weekly dues the last meeting night in June following, but are in arrears as of the date of the last meeting night in March.

1432. The dues to a Lodge accrue weekly, and only for the convenience of the Lodge are paid at stated periods; it is, therefore, at any time the right of a brother to pay his dues. The words "at any time" are construed to mean at any Lodge meeting.

1433. Dues and benefits accrue weekly, and fractions of a week cannot be charged for the one, or allowed for the other.

1434. Dues accrue from week to week, and not by the term. Sometimes there will be more than twenty-six meetings in a term.

1435. It is not lawful to pass a By-Law whereby a Subordinate Lodge may receive a fixed sum as dues, and, as a consideration therefor, relieve the member so paying from further obligation to be charged with dues during his membership.

1436. Neither the Grand Lodge nor a Subordinate Lodge may legally provide for the payment by the member to his Lodge of a fixed round sum in full of all dues during life instead of periodical dues. A member cannot be entitled to benefits for life, and relieved from all future payment of dues.

1437. A Lodge cannot legally provide in its By-Laws for a quarterly rate of dues instead of weekly.

1438. When an incorrect printed statement as to the rate of dues, after the same had been increased, may have misled the deceased brother or his family, and occasioned his being in arrears, as and at the time stated, this being the fault or mistake of the Lodge, through its Secretary, it will not operate to debar the family of the funeral benefit. If in sending to a member a statement of his account of dues, a printed statement of rate of dues per week is attached thereto, it should be the correct rate in existence, and not an obsolete or superseded rate.

1439. A Lodge cannot legally appoint a member to collect dues from members who are in arrears, and pay him a commission on the same.

DUES—General Principles.

1440. While the Lodge has the right in its By-Laws to fix the exact weekly sum which shall be payable into the Lodge treasury by each member thereof for dues, provided, that this sum agrees with or is in excess of the minimum amount required by the Constitution for Subordinate Lodges, according to the benefits paid, nevertheless where the minimum dues are specified in the Lodge's By-Laws, according to the benefits paid, an assessment must be provided for, to pay funeral benefits, or in default thereof an additional sum must be added to the weekly dues as funeral dues.

(b). Who must Pay Dues.

1441. All contributing members must pay dues, and the dues must be chargeable weekly.

1442. The general law does not permit a Lodge to remit dues. They must be paid. Their payment is a condition precedent to good standing and benefits.

1443. Dues accrue during the suspension of a member for cause the same as though he were otherwise in full membership, and they have accrued the same way against an expelled member who is restored on appeal where he claims benefits during the time of his expulsion, and therefore the dues are to be deducted from the benefits when paid.

1444. An initiatory member being suspended one year for cause, is legally subject to dues while under suspension.

1445. Where a brother transfers his membership from one Lodge to another, whether by deposit of card or Official Certificate, or by application, stating that he is entitled to a Withdrawal Card, he should pay his dues to his former Lodge until he shall have procured a Withdrawal Card, and under the law of the Sovereign Grand Lodge of 1906 relating to transfer of membership, he may pay his dues for four weeks or one month in advance of the date of his card.

1446. A brother desirous of availing himself of the provisions of the law of 1906, will send with his application for a Withdrawal Card the sum of 25 cents (cost price of such card), and an additional amount equal to four weeks', or one month's dues, which shall entitle the brother to the protection of the Lodge from which he proposes to withdraw, as far as benefits are concerned, for the period of four weeks, or one month, or such less time as may be necessary to complete the transfer of his membership.

1447. A member who is sick and receiving benefits pays dues by having the amount thereof deducted from his benefits by the Lodge, in default whereof he would, nevertheless, not be in arrears, but advance dues cannot be paid this way without an order from the sick brother.

1448. Whether or not the brother was in good standing at the time he was taken sick, it is competent for him, if he desires to do so, to pay dues and for the proper officer of the Lodge to receipt him therefor, but such payments, if made, would not place him in beneficial standing for the sickness, if he was in arrears as stated when he was taken sick.

1449. The dues of a member suspended for non-payment of dues continue to run during such suspension, but the general law, as well as a provision of the Subordinate Constitution, fixes a fee to be paid in lieu of his entire arrearages upon reinstatement.

1450. When a Lodge is suspended for cause by the Grand Master or the Grand Lodge, the dues of the members cease to accrue during this period of suspension.

1451. A Lodge has authority to remit such portions of a brother's dues who has been suspended for cause, as it may determine upon the reinstatement of such brother.

DUES—Who Must Pay Dues.

1452. A Lodge, by proceeding according to the Constitutional requirements of the law for reinstatement, may remit all of a member's dues in excess of one year's charges.

1453. Other than for suspended members, the Lodge has no right to remit the dues of members, even though they may be engaged in war against the enemies of the country.

1454. A resolution to appropriate the funds of the Lodge to pay dues for members who have enlisted in the United States Army is illegal. The Lodge having adopted such resolutions, and brothers having enlisted and gone from home upon the good faith of such action, the illegality of such resolutions cannot be made to act as a bar against a member who may be otherwise entitled to benefits, unless he has been notified of the illegality of such resolutions. Such a decision may seem unpatriotic, but while the spirit of patriotism that prompted the adoption of such resolutions fully accords with the teachings of our Order, yet we must be alert to any danger that may be hidden in the enthusiasm of the hour. Justice to the brethren who remain at home, and a due regard for the permanency of the Lodge will not permit us to run upon rocks that may destroy the Lodge and the interest of every member of it. It cannot be determined at the time the number of brethren that will come under the provisions of this act, or the time to be covered, and there may be such a loss in revenue as to make the Lodge insolvent, or compel it to surrender its charter. It seems that if there is an honest desire on the part of the members to show their loyalty, a voluntary subscription of a very small sum would accomplish the object without endangering any Lodge interest.

1455. The five per cent. Contingent Fund may be used to pay the dues of those who enlist in the army or navy of the United States in time of war, if the Lodge have such a fund and vote to appropriate it in whole or part to this purpose.

1456. A Lodge can provide a different scale of dues, for those who were admitted as non-affiliated Odd Fellows, but the dues of all other contributing members must be uniform. This is not, however, to be construed to mean that a Lodge cannot grade its dues provided that all the members of each class pay uniform dues.

1457. Brothers over sixty years of age who have been contributing members for twenty-five consecutive years, cannot be required to pay dues, if they have retired as non-contributing members.

(c). To whom must they be Paid.

1458. Dues are payable only to the Subordinate Lodge to which a brother belongs. The Grand Lodge has no power to receive or collect dues from the individual members of the Order, for any purpose, except in the case of members of defunct Lodges, who pay their arrearages in order to get a proper Withdrawal Card or Defunct Certificate, and members of the Aged Odd Fellows' Fund, who pay their dues to the Grand Secretary through their several Subordinate Lodges to which they have been admitted.

1459. The only legal channel by which the funds of a Lodge can reach the Treasurer is through the hands of the Secretary; and the latter cannot be compelled to receive the dues of members during the interval between the stated meetings of the Lodge; should the Secretary receive dues during that interval, the credit to the brother must bear the date of the next stated meeting.

1460. When the laws of a Lodge require the payment of dues to a particular officer, it is optional with the Lodge whether they accept payment made through any other person as their official agent. A payment to the Treasurer is not a payment to the Lodge when the By-Laws require payment to the Secretary.

DUES—To Whom Must They be Paid?

1461. The mailing of a registered letter containing a member's dues does not constitute a payment to the Lodge unless it is received by the Lodge, as the postmaster is not the agent of the Lodge, but only of the brother.

1462. A Lodge is responsible for money received by its Secretary at his desk on a meeting night, although the Lodge may not have been formally opened or a meeting held; and the receipt, admitted to be genuine, is sufficient proof that the money was paid.

1463. If the Secretary receives money from a member between the sessions, and neglects to credit the brother on the books of the Lodge, the Lodge is not responsible for the act of the Secretary during its recess. All dues should be paid when the Lodge is in session. The Secretary is not responsible for the sum claimed to have been paid, unless the payment has been proved by being entered by the Secretary on the cash book of the Lodge as of the date of a meeting subsequent to the date of payment, or an official receipt was given for the same.

1464. A brother was in arrears for dues, and he paid the Secretary $2.00 on the street on December 2; said amount would put him in good standing. The Secretary dated the brother's receipt December 4, which was the next regular meeting night. The Secretary did not attend the Lodge on that meeting night, and put the credit for the money paid him on the books of the Lodge under date of December 11. The brother was taken sick on December 8. Held that the Secretary is the proper officer to receive dues from the members, and when he chose to receive the money from the brother on the street, it was his duty to report the receipt of the money at the next regular meeting of the Lodge. It was no fault of the brother that he did not attend the meeting of the 4th of December, the Lodge having subsequently accepted the money. The Brother is therefore entitled to benefits.

1465. The entrusting of money by one member to another to pay his dues cannot affect his credit until the money is received by the Lodge, and said credit must bear the date of the reception of the money by the Lodge.

1466. Dues are payable to the Secretary in the Lodge room, but it is optional with the Lodge whether they accept payment through any other person or in any other way. A payment to the Treasurer is not payment to the Lodge, unless the Lodge chose to accept it.

(d). How must they be Paid.

1467 A member is not required to pay his dues to the Lodge in person; but if he entrusts them to another to pay for him, he does it at his own personal risk.

1468. The dues must be paid in cash or bankable funds.

1469. An order of the Lodge upon its Treasurer for the payment of money, can be handed to the Secretary in place of the actual money it represents.

1470. Where a brother comes to the Lodge and goes to the Secretary's desk to pay dues. He hands the Secretary a bill to take a small amount from. The Secretary cannot make the change, consequently the brother goes away without paying his debt to the Lodge. In about two months after the transaction the brother gets hurt, and upon examining the books it is found that he is in arrears. Held that it is the brother's business to pay his dues, and the Secretary is not obliged to keep funds on hand to make change for notes the members may offer, and therefore the Lodge is not obliged, under the circumstances, to pay the brother benefits.

1471. A note or due bill held against a member for dues does not place him in good standing, as it only puts the indebtedness in a new form, but does not discharge the debt.

DUES—How Must They be Paid?

1472. Where a claim has been ordered to be paid by the Lodge, and for any reason payment is delayed, it is the duty of the Secretary to deduct therefrom the amount due the Lodge, and pay the brother the balance.

1473. Until ordered by the Lodge to be paid, a claim for salary cannot be made an offset for dues. Dues should be paid by the salaried officer the same as by other members, and non-payment subjects him to the same penalty.

1474. A member cannot be deprived of sick benefits on the ground that he is in arrears if the Lodge is indebted to him on account of a prior sickness sufficient to place him in good standing.

1475. A member of a Lodge who owes for weekly and funeral dues pays money to the Lodge and directs that it be applied to his account for weekly dues. The Lodge is not compelled to apply the money as the brother directed; it must credit the same as directed by the Constitution.

1476. Whilst a Lodge is actually indebted to a member he cannot be suspended for non-payment of dues. It is the duty of the Secretary to carry the indebtedness as on offset to the dues, by crediting him with the amount. Provided, that in all cases the bill shall have been presented to the Lodge, passed upon, and an order for the amount directed to be drawn on the Treasurer, before credit can be given. A debt, whether for work done, or for salary, cannot be recognized as an offset for dues, except as above recited in application for funeral benefits.

1477. A Lodge cannot refuse to receive, in full or in part, the dues of a member prior to his suspension.

(e). Funeral Dues.

1478. When a Lodge adds a sum to its weekly dues to cover the payment of funeral benefits this additional sum is merged into its weekly charges for dues, and is, of course, governed by the same rules that govern the regular weekly payments; but when the Lodge provides an assessment to pay funeral benefits, these assessments become funeral dues in arrears after the lapse of the time prescribed by the Constitution for Subordinate Lodges.

1479. Where a Lodge provided in its By-Laws for the payment of funeral benefits in excess of the minimum required by law, without making any provisions for funeral dues, it was decided that it is obligatory on the Lodge to provide in its By-Laws for funeral dues, and that By-Laws without such provision are illegal, unless the Lodge levies a funeral assessment, when it shall not be required to make any addition to its weekly dues.

1480. In the absence of any fixed amount of funeral dues in the Constitution of Subordinate Lodges to meet funeral benefits, the Grand Lodge recommends to Subordinate Lodges desiring to add to the weekly dues sufficient for funeral benefits, as a basis for the same, two cents additional weekly dues for every hundred dollars paid as funeral benefits.

1481. A Lodge adopted the following By-Law: "When, on the decease of a member, or a member's wife, a funeral benefit is paid, the Secretary shall immediately divide the amount of the benefit by the number of members, and charge the amount of the quotient to each member in his account as a funeral dues. Provided, that whenever the Lodge has a productive invested fund of over one thousand dollars, no funeral dues shall be charged or collected." This proviso the Committee on Laws decided to be contrary to the laws of this Grand Lodge, and refused to approve the section with the proviso attached. From this action the Lodge appealed to the Grand Master, who affirmed the decision of the committee, which decision was confirmed by the Grand Lodge.

1482. It is legal for a Lodge on the death of a member to assess the membership a stipulated amount (say 50 cents per member), for the purpose of

paying the widow and children of the deceased member a certain amount, say 50 cents for each remaining member.

1483. It is legal to levy an assessment of $1.00 per member to pay a funeral benefit, "to an amount equal to $1.00 for each member who is not more than $3.00 in arrears."

1484. It is not legal for a Lodge to make an assessment "pro rata" for the purpose of paying funeral benefits. The assessment must be a stipulated amount.

1485. Funeral assessments are chargeable to an initiatory member from the time he signs the Constitution.

1486. Five candidates were initiated into a Lodge on March 3. A member of the Lodge died on March 6th. The By-Laws of the Lodge provided for an assessment of $1.00 on each member as a funeral benefit on the death of a member. The assessment will be levied against the brothers who have only received the Initiatory Degree. The dues and assessments commence as soon as the candidate signs the Constitution.

1487. A non-beneficial member is not liable for a funeral assessment, unless the By-Laws specially provide for the payment of funeral benefits on the death of non-beneficial members.

1488. A Lodge By-Laws read as follows: "On the death of a member entitled to benefits, each member shall pay $1.00, and on the death of the wife of such a member, every member shall pay 50 cents as funeral dues." The By-Law means that each member who has not been suspended shall be charged the assessment, and does not mean only those in good standing shall be charged.

1489. A brother had no knowledge of the two funeral assessments charged to him, and there was no By-Law of his Lodge requiring notice to be given him, but there was a By-Law requiring such assessments to be taken out of the first moneys paid in, after they were made. Had the Secretary discharged his duty in this, he would not have notified the brother on the receipt of his two dollars, that his dues were paid to September 8th. Having done so, the brother had a right to infer that no funeral assessments had been made against him. While no By-Law required it, the proper course for the Secretary to have pursued would have been, with his receipt to have sent the brother a statement of his account and showing the assessments.

1490. A By-Law of a Lodge providing for levying an assessment upon the members to pay a stated sum as funeral benefits is enforceable.

1491. An assessment to pay funeral benefits on account of the death of a member of a Lodge, which provides by By-Law for the payment of funeral benefits by assessments, can be charged as dues, so as to place the brother in bad standing at the end of the quarter.

1492. By the general law funeral assessments can be charged as dues.

1493. A brother went to his Lodge room on its regular meeting night and paid $5.00 to the Secretary, to be applied on his dues. The next day he was taken ill, and so reported to the Lodge. The Lodge declined to pay him benefits, because it claimed that the brother was in arrears at the time he was taken sick, this depending upon the fact that certain funeral assessments had been called. The Secretary failed to notify the brother of these assessments when he paid his dues, and therefore none of these funeral assessments could be charged against his account to make him non-beneficial, unless they had been charged a sufficient length of time to become weekly dues.

1494. While a Lodge is not bound, unless its By-Laws so require, to notify its members of funeral assessments levied, nevertheless, if when a brother pays his dues the Secretary does not then and there notify him of

the assessments charged against his account, they cannot subsequently be counted so as to make him in arrears and therefore non-beneficial.

1495. If a non-beneficial member is entitled to funeral benefits under the By-Laws of a Lodge, then he should be assessed for the funeral benefits of others, otherwise he pays nothing except his weekly dues. If the By-Laws provide that he is entitled to funeral benefits, then he must pay his assessment upon the death of a brother the same as other members.

(f). Nurse Fund Dues.

See Funeral Dues. Assessments. *See* Attentive Benefits.

The provisions and requirements of the law concerning nurse Fund Dues or Assessments are the same as for Funeral Dues and Assessments.

1496. Under the Constitution for Subordinate Lodges, which reads as follows: "Section 1. Each member of the Lodge shall pay into the funds thereof for the weekly benefits and working expenses such sum as weekly dues as is required by the By-laws, which sum shall be not less than ten cents per week, or be less than the minimum dues required for the benefits paid, and he shall pay such further weekly sum to be added thereto as may be required by the By-Laws for funeral benefits or other legitimate purposes (provided, that in lieu thereof Lodges may levy assessments for these purposes)." The following By-Law of a Lodge: "Whenever it shall become necessary for any sick brother of this Lodge to have sitters-up, it shall be the duty of the Noble Grand and Vice Grand to procure a nurse, whose pay shall not exceed the sum of ten dollars ($10.00) per week, and the expense of same shall be assessed pro rata upon the members of the Lodge," is legal as the assessments mentioned are made as occasion arises for same, and does not conflict with the provision of the Constitution which refers to regular contributions to the Lodge funds.

(g). Orphans' Homes Dues.

1497. A non-beneficial member is liable for the Orphans' Homes dues.

1498. The twenty-five cents for dues for the Orphans' Homes, which is directed to be charged at the last meeting night in March of each year, operates to make a brother non-beneficial after they have been charged over thirteen weeks. The time when the Lodge shall pay these dues to the Grand Lodge has no relation to the time when the brother shall pay the same to the Lodge so as to affect his standing. Under our Constitution and laws, all dues, assessments or charges, after being charged over thirteen weeks and remaining unpaid, are to be calculated in determining whether or not a member is in good standing.

1499. The Secretary of the Lodge shall charge the twenty-five cents for the Orphans' Homes against each and every member on the roll of the Lodge for the last meeting in March of each year.

1500. The Odd Fellows' Orphanage assessment is not chargeable against the members' account until the last meeting night in March, and does not become dues under any condition until after the last meeting night in June following.

1501. The members of a Subordinate Lodge, which was instituted say on March 9, pay the Orphans' Home dues that are chargeable against the Lodge on the last meeting night in March following.

(h). Payment from Benefits.

1502. It is the duty of the Lodge to keep a brother's dues paid up while he is under their charge and drawing benefits, up to the time that he is discharged from the care of the committee.

DUES—Payment from Benefits.

1503. Where a brother on the day when his dues should have been paid to prevent him becoming non-beneficial became sick to such an extent that he was unable to attend the Lodge meeting on that night. According to the records of the Lodge, it appears that he was beneficial to the time he was taken sick, and having been beneficial when so taken sick, he could not become non-beneficial during that illness. The Lodge should have retained so much of the brother's benefits as would have accrued to keep him in good standing during his sickness.

1504. When benefits are withheld from a member under an erroneous impression of the condition of his health, his benefits remain still due him, so that upon his death from that sickness the Lodge cannot deprive his widow of her claim on the ground that he was in arrears at the time of his death, the benefits due him being more than sufficient to pay his dues. It is the duty of the Lodge not to permit a member, who is in receipt of benefits, to become in arrears, even in ordinary cases, but when the member is in extremis it becomes more especially its duty.

1505. The Grand Lodge has determined that a proper interpretation of the duty of the Lodge is that the Relief Committee must see that the sick brother's dues are paid up in full to the time of his discharge; "in full" meaning all dues that had accrued before he became sick, as well as those accruing during such sickness, and referring, of course, to "weekly" dues.

1506. A brother was declared off at his own request, and while the Relief Committee should have seen that he was in good standing at that date, they were certainly not then required to see to the payment of a funeral assessment which could not for several weeks become weekly dues and affect his good standing in the Lodge.

1507. A brother who was the Treasurer of his Lodge, was sick and entitled to benefits to July 7, when an order was drawn for his full week's benefits, and no deduction was made for his weekly dues. The Lodge claims that as he was Treasurer it was his duty to pay his dues from the amount of the order, which, on that night, was fifty cents in arrears. When the brother was again reported sick from September 19, his standing on the books was such as would make him non-beneficial. The law of the Order is very plain on this subject—viz.: That it is the duty of the Lodge, and not of the sick brother, to deduct the weekly dues from the weekly benefits, and that being the case, the brother could not become in arrears while sick; therefore, on July 7 he was in good standing under the law, so that he could not become non-beneficial for thirteen weeks thereafter, which time would extend beyond September 19.

1508. A By-Law of a Lodge which reads as follows: "Whenever any benefit shall accrue to the account of a brother, payment shall be required therefrom of such quarterly dues as may be chargeable to the close of the then current quarter," is not legal, unless the laws of the jurisdiction permit the payment of weekly dues in advance.

1509. If the By-Laws of a Lodge provide that a sum beyond thirty dollars shall be paid for funeral benefits and the brother, at the time of his death, was indebted to the Lodge for dues, the arrearages may be lawfully deducted from the funeral benefits.

(i). Receipts for Dues.

1510. The Sovereign Grand Lodge has declared the official receipt to be the only legal receipt for dues, assessments, fees, etc., paid to Lodges.

1511. A Lodge that does not compel a receipt to be issued for every cent of money it receives is pretty sure to get into trouble, as is the brother who pays money to a Lodge without receiving a receipt, and sound business methods demand that a receipt should both be demanded and offered, thus securing the brother for the money paid, and assuring the Lodge that a correct account is kept between it and its members.

DUES—Receipts for Dues.

1512. Lodges are required to use the official form of receipt or certificate for dues to the entire exclusion of all other forms of receipts for dues.

1513. It is unlawful to issue any receipt for dues or assessments in lieu of the official Certificate, except Visiting or Withdrawal Cards, regularly applied for and granted.

1514. A brother has a right to demand an official receipt for dues each time he pays dues, even though it be each meeting night in the year.

1515. A member cannot accept any other than the official receipt or certificate for dues, even though he does not desire to visit another jurisdiction.

1516. A Subordinate Lodge has no right to issue to a brother in return for the payment of his dues an order for a receipt or a paper to be exchanged for a receipt when the brother shall so desire. The issuance of such a paper is a palpable evasion of the law requiring the use of the official certificate. It is in effect a receipt, although not so termed.

1517. It is illegal to use any receipt for dues except the official form of certificate, printed exclusively by the Sovereign Grand Lodge, although it is intended simply as a receipt for dues and not to be used in visiting.

1518. When a brother pays his dues the Secretary is not allowed to give him a receipt for same except on the form issued and sold by the Sovereign Grand Lodge, notwithstanding the brother does not desire the Annual Traveling Pass Word.

1519. When a member pays any money to his Lodge for dues or assessments and does not desire any acknowledgment for such payment, he need not be given such acknowledgment, but if he does ask for such an acknowledgment the Secretary must issue to him an official certificate showing the amount he has paid. Where such evidence is requested, no other form can be used than what is known as the official certificate.

1520. When a member pays his dues and demands an Official Certificate as a receipt for the payment, the Noble Grand has no legal right to refuse to sign the Official Certificate until the brother first signs the same on the margin. The Noble Grand not only cannot refuse to sign, but must complete the card. The receipt is not official until signed by the Noble Grand. If the laws required that the brother must sign before the Noble Grand signs, then the brothers at a distance would be, seemingly, inconvenienced in obtaining their receipts for dues by mail. The same rule applying to the Visiting Card applies to the Official Certificate.

1521. If a member is in arrears for dues and pays part or all of such arrearages and nothing in advance, he can demand as a receipt the Official Certificate, but cannot demand the Annual Traveling Pass Word.

1522. The color of the printing on the back of the Official Certificate is varied so as to show at a glance the branch of the Order for which the Certificate is adapted. The Secretary will, therefore, be certain that the Official Certificate he issues as a receipt for dues is printed on the back in red, as that is the color for the Subordinate Lodge.

1523. The Financial Secretary is the proper officer to sign the Official Certificate for dues.

1524. Neither Grand Lodges nor Subordinate Lodges can print the Official Certificate for dues. They are printed by the Sovereign Grand Lodge exclusively.

1525. A Lodge cannot prescribe by By-Law that a small fee shall be paid by the brother on the issuance of an official form of receipt for dues.

1526. A Lodge has no right to charge any price for issuing the official receipts for dues, but must furnish same free of charge.

DUES—Receipts for Dues.

1527. An official receipt for dues should not be given to any other person other than a member of the Lodge when dues are paid. If he has sent the money by mail or by the hands of another person, the Secretary shall mail at once to the brother's address the official receipt, if he has requested a receipt.

1528. A brother asks for and receives an Official Certificate covering the space of fifteen months. During the time the certificate was in force, funeral assessments amounting to three dollars were assessed against him. After the expiration of the time for which the certificate was granted, but inside of thirteen weeks, the brother was taken sick. The funeral assessments against the brother were not paid at the time he was reported on the sick list. Under the above circumstances, is the brother entitled to weekly benefits? Yes. A member absent from the jurisdiction of his Lodge holding an Official Certificate, is chargeable with all funeral and other legal assessments which may fall due during the time for which the certificate was granted, but he cannot be suspended from benefits until three months after the expiration of the Official certificate by accumulation of funeral dues accruing while the certificate is running.

1529. It is unlawful for any Subordinate Lodge to permit its officers to issue, and it shall be unlawful for any officer of any such subordinate body to issue, any receipt, statement, or other paper evidencing the payment of money on account of dues or assessments, except by Official Certificate.

1530. It is unlawful for any Subordinate Lodge to permit its officers to issue any receipt for the payment of dues, except the Official Certificate.

1531. The Lodge is required to give a brother an official receipt for money paid in as dues, if the brother demands it, even if the amount paid does not put him in good standing.

1532. Where a member suspended for cause pays his dues, in order that he may not thereby gain any rights of visitation, the Secretary of the Lodge shall write across the face of the Official Certificate issued to such member the following endorsement: "The holder of this certificate is under suspension for cause until the.....day of....., 19...

(j). Quarterly Notices.

1533. The legislation concerning the Official Certificate which is the only legal receipt for dues, does not deprive a Lodge of the right to send a quarterly notice, a statement, or bill for dues, but it does prevent the Secretary or any other officer marking on this quarterly notice, statement, or bill in any manner to show that the dues or any part thereof have been paid.

1534. If in sending to a member a statement of his account for dues a printed statement of the rate of dues per week is attached, it must be the correct rate in existence and not an obsolete or superseded rate.

1535. The Secretary cannot legally receipt the Notice Card for dues. The only receipt to be given is the Official Certificate issued by the Sovereign Grand Lodge.

1536. In sending a quarterly notice of a member's account for dues neither the Lodge nor the Secretary assume to guarantee that these notices will be delivered. It is the member's duty to know his financial standing in the Lodge, and the Secretary has done all that is required of him, if he can say that he mailed the brother's notice along with all the others, in a return envelope, and that the brother's notice was not returned to him by the postal authorities.

1537. Previous to August the weekly dues of a Lodge were fifteen cents per week. In that month the Lodge amended its By-Laws, changing the weekly dues to sixteen cents, to take effect from and after September 28, the close of the current quarter. This amendment to the By-Laws was ap-

DUES—Quarterly Notices.

proved September 2. On the 28th day of September a brother owed the Lodge $3.90. On the 26th of October there was paid in to his credit the sum of $5.00, and a receipt, in the nature of a bill given, showing the indebtedness September 28 to be $3.90, adding four weeks' dues at 16 cents, 64 cents; total charges, $4.54. Credit by cash, $5.00; balance overpaid, 46 cents. If there had been nothing more than this upon the paper this controversy probably would not have arisen. There was printed near the foot of the paper the words, "Dues 15 cents per week." It so happened that on the evening of February 15 following, by charging the brother's account at the rate of 16 cents per week, after allowing the credit on October 26, he was indebted the sum of $2.10; thirteen weeks' dues are but $2.08. On the 22d day of February, the day preceding the time of the meeting of the Lodge, the brother died. From the evidence it appears that the appellant always paid the brother's dues, and she was always under the impression that the dues were 15 cents per week. It was held that there being no doubt that the blank form of bill was one that had been in use in the Lodge for some time, and that it misled the brother when the words, "Dues 15 cents per week" were not erased by the Secretary. The widow was held to be entitled to the funeral benefits.

(k). When the Dues Commence.

1538. The dues of one joining a Lodge commence at the time of initiation.

1539. The dues of one admitted to membership by card or certificate commence at the time of signing the Constitution.

1540. The dues of a member reinstated commence at the date of reinstatement or the payment of the reinstatement fee, which ever may be the last step in the procedure of reinstatement.

1541. As a general rule it may be stated that dues begin the moment membership in a Lodge is complete, or is renewed, no matter how the admission or reinstatement is obtained.

(l). Dues Refunded.

1542. A Lodge is in duty bound to refund the dues overpaid by a brother at the time of his decease or when he withdraws from the Lodge by card or otherwise.

1543. A brother paying up arrears of dues while ill, and dying before he becomes beneficial, the Lodge is not required to refund the arrears so paid.

(m). Graded Dues.

1544. The subject of dues is one peculiarly for the legislation of State Grand Bodies, and any interference therewith on the part of the Sovereign Grand Lodge is objectionable. In many jurisdictions a sliding rate of initiation fees has been adopted. Should a similar scale of dues meet the approval of a State Grand Lodge, such approval would be final.

1545. The following By-Law of a subordinate under the immediate jurisdiction of the Sovereign Grand Lodge was approved: "All members admitted by initiation or by card, after the approval of these By-Laws, shall pay dues as follows: From 21 to 35 years old, $6; from 35 to $40, $8; from 40 to 45, $9; from 45 to 50, $10; from 50 to 60, $12.50; this rate of dues to continue during the membership. Those who are or become members before such approval to pay $6."

1546. It is within the jurisdiction of a Grand Body to approve of the By-Laws of a Subordinate which provide for the payment of a higher rate of dues by those whose occupations are of such a hazardous nature as to make them more liable to accident, or by reason of their residing in a locality

DUES—Graded Dues.

where the climatic conditions increase the liability to disease than is required of the members living under the ordinary conditions.

1547. Under the general law the following By-Law is legal: "Dues—All present members shall continue to pay the amount of annual dues, as they have heretofore paid, as shown upon their respective ledger accounts. All members hereafter admitted into this Lodge, under 40 years of age, shall pay $4.00 per year. Those over 40 and under 45, $5.00. Those over 45 and under 50, $6.00. Those over 50, $8.00.

NOTE.—The legal effect of the above citations is to evidence that under the general law, graded dues are permissible, but a Lodge, adopting such a system would necessarily be required to predicate its grading upon weekly payments of dues in conformity with the laws of this jurisdiction.

(n). The Dues Ledger.

1548. It is the duty of the Secretary to keep correctly the accounts between his Lodge and its members.

1549. It is his duty to keep his accounts regularly posted, so that no dispute arise, and be ready at all times to render to the Noble Grand statements of arrears of the brethren, so that their rights be not abused.

1550. Under the Subordinate Constitution, as it existed prior to 1900, fines, funeral dues or assessments were deducted from the first money paid into the Lodge by the member after the same were charged, which provision was omitted from the Subordinate Constitution now in force, so that the duty of the Lodge in this particular has reverted to the practice as it existed prior to the adoption of the above special direction, namely, that moneys paid by a brother into the Lodge shall be applied to the liquidation of the unpaid items of his account, whether dues, assessments or charges, which go to determine his beneficial standing, in the order of their arrearage, the oldest item being first cancelled.

1551. The Subordinate Constitution provides that "Funeral dues or assessments, after being charged as such and unpaid over thirteen weeks, are to be added to the weekly dues, and to be charged as of the date of the original levy." The practical effect of this, so far as the bookkeeping of the Lodge is concerned, is that funeral dues or assessments of any kind become dues immediately upon their being levied.

1552. Fines are not dues, but are charges which are to be counted in determining a brother's beneficial standing.

1553. A member who is over thirteen weeks in arrears for dues is not entitled to benefits, and he cannot become entitled to benefits until he shall have paid up in full all dues and assessments and fines that have accrued up to the date of payment, if the By-Laws so provide, nor then until the expiration of such time thereafter as may be provided in the By-Laws as a penalty.

1554. In determining the beneficial standing of a member, the time and not the amount shall be considered. If all the dues, assessments and charges that have been charged in the preceding thirteen weeks ending with the last meeting, but not including the present meeting, are unpaid he is non-beneficial at the close of the present meeting.

1555. A member of a Subordinate Lodge who is in arrears for weekly *OR* funeral dues more than thirteen weeks is not entitled to the term pass word, or to vote in the Lodge, but is entitled to visit his own Lodge until dropped, suspended or expelled. The above phrase, "who is in arrears for weekly or funeral dues for more than thirteen weeks," means "who owes more than thirteen weeks' weekly *OR* funeral dues *OR* assessments."

1556. A member of a Lodge in this jurisdiction, having a Visiting Card, or having an official receipt paid in advance, shall be beneficial, if otherwise entitled, for thirteen weeks after the card or certificate has expired;

DUES—The Dues Ledger.

he shall be liable to pay all funeral assessments legally levied, and to pay any increase in dues or assessments made by virtue of a change in the By-Laws of his Lodge after the issuing of the card, and shall be subject to all changes in the By-Laws fixing the amount of, and regulating the time for paying benefits. Notice of these changes shall be given to the brother that he may comply with the revised law. In case of decease within said period, funeral benefits shall be paid.

1557. A brother of the Lodge who has been sick and receiving benefits is in good standing for every purpose until the close of the fourteenth meeting night after he has been discharged by the Lodge, without regard to the actual state of his account, as it was the duty of the Lodge to retain so much of his benefits as would keep him free of every charge of weekly dues against him on the books of the Lodge during such sickness.

1558. A member suspended for cause, at the end of the period of suspension is reinstated into his membership upon the payment of all arrears of dues, and during his suspension his dues accrue the same as though he was under no disability, and he may pay his dues from time to time during the period of his suspension.

1559. In nearly every Lodge in this jurisdiction the Secretary is directed by the By-Laws to send a quarterly notice to each member, showing the state of his respective account with the Lodge.

1560. And at the end of each term the Secretary will render a faithful report of the work of the Lodge for the Grand Lodge, and render every assistance to the committee to examine the books, etc., that they may require.

NOTE.—The preceding paragraphs indicate quite clearly the duty required of the Dues Ledger. Also the questions which may be asked from the Secretary at any Lodge meeting and to which the Lodge will expect a prompt and accurate reply.

ELECTION FOR OFFICERS.

(a). For Grand Lodge Officers.
(b). For Subordinate Lodge Officers.
(c). At Institution of a new Lodge.
(d). At Installation.
(e). Contested Election.

See Arrears
Canvassing.
Circulars.

See Contested Elections.
Eligibility to Office.
Nominations for Office.

(a). Election for Grand Lodge Officers.

1561. The manner in which Past Grands may vote for Grand Officers is a subject for local legislation.

1562. The Grand Secretary is required to forward to the several Lodges, at the proper time, two blank returns for the election of Grand Lodge Officers.

1563. The Grand Secretary is required to send to each Subordinate Lodge, with the list of candidates for Grand Lodge Officers, as many tickets for each as there are Past Grands in the Lodge to which the list is sent.

1564. A candidate for a Grand Lodge office is not disqualified as a candidate by reason of the official ballot, or ticket, designating him as a member of the Lodge with which he was formerly affiliated, and not setting forth the number of the Lodge to which he had transferred his membership, and of which he was actually a member at the time when the voting for Grand Lodge Officers occurred.

1565. A Past Grand cannot vote by proxy; he must be in good standing and present in the Lodge to which he belongs, and personally cast his vote for Grand Lodge Officers.

ELECTION FOR OFFICERS—Election for Grand Lodge Officers.

1566. A brother who is a Past Grand transfers his membership by card from one Lodge to another. The Lodge in which he deposits his card notifies the Grand Secretary of the transfer of the Past Grand. The brother is entitled to vote for Grand Lodge Officers at the first election of Grand Lodge Officers after he has deposited his card in the new Lodge.

1567. Should there be only one nominee for any office, and he should die or decline the nomination before the day of election in the Subordinate Lodges, and no further nominations are made, the office must nevertheless be filled by the election of some Past Grand at the regular election.

1568. In a Grand Lodge where none but the representatives are permitted to vote upon any business of the session, nominations for Grand Officers are made at the session of a Grand Lodge preceding the annual election in the Subordinate Lodges. The Grand Lodge meets in October of each year, and elections for Grand Officers are held in each Subordinate Lodge on the following meeting night in June of each year by ballot by the Past Grands in good standing. At the October session of the Grand Lodge, a brother was the sole nominee for Grand Treasurer. He died in November, and the ticket voted at the June election in the Subordinate Lodges contained no name for Grand Treasurer. At the next annual session of the Grand Lodge thereafter, the office of Grand Treasurer was declared vacant and an election on the floor of said Grand Lodge was ordered. The Grand Master thereupon opened the Grand Lodge for nominations. After the nominations were closed, the Grand Master directed the Grand Lodge to ballot, ruling that all Past Grands in good standing were entitled to vote; from this decision an appeal was taken to the Grand Lodge on the question that none but representatives were entitled to vote. The Grand Lodge reversed the Grand Master, and from this action an appeal was taken to the Sovereign Grand Lodge. In that body the Committee on Appeals concluded that every Past Grand has an inherent right to vote for Grand Officers of his Grand Lodge, but that he must exercise that right in the manner provided by the laws prescribed therefor by such Grand Lodge. That they had made very careful investigation of this subject, and find several decisions bearing upon the inherent rights of Past Grands, but so far as they were able to ascertain the precise question herein contained had never been presented to the Sovereign Body. They believed that if all Past Grands present at a session of the Grand Lodge, in Grand Jurisdictions where the representative system obtains, were permitted to vote for election of Grand Officers to fill vacancies, it would open the door for the Past Grands of the particular locality where the Grand Lodge should at the time be holding its session, to control such election and practically disfranchise the great body of Past Grands who would be unable to attend that session of the Grand Lodge; but if the representatives were permitted to fill such vacancies it would more nearly represent the choice of all the Past Grands of the jurisdiction. The committee therefore recommended that the appeal be dismissed, and the action of the Grand Lodge be sustained. After careful consideration, the Sovereign Grand Lodge decided that the appeal be, and the same is hereby dismissed, for the reason that it was improper to hold an election at the session of the Grand Lodge under the circumstances of this case.

1569. In counting the vote for Grand Lodge Officers, all the tickets are to be counted, whether voted separately for each officer or by general ticket.

1570. In 1895 the Sovereign Grand Lodge approved the Grand Sire's decision as follows: "In canvassing the votes for Grand Lodge Officers cast by the Past Grands, if, in some Lodges, Past Grands were allowed to vote who were disqualified, and such illegal votes charged to the successful candidate and deducted from his vote would change the result, the entire vote should be thrown out and the result declared on the remainder." The next year it was held that this decision should not have been approved, and is therefore void.

ELECTION FOR OFFICERS—Election for Grand Lodge Officers.

1571. Grand Bodies have full power and authority to go behind the returns and investigate any illegalities and irregularities occurring in the election of their officers, and have the right and power to use their own discretion as to the method of making such investigation and determining for themselves the manner of reaching and declaring the results.

1572. A plurality of all votes cast does not mean a majority of the votes cast. There is no distinction between a plurality of all votes cast and a plurality of the vote cast.

1573. At an election the returns from some of the Lodges are not received by the committee to count the election return. The returns received by them are to be canvassed and the result declared. If afterwards duplicates of the return not received are sent to the Grand Secretary, and by him laid before the Grand Lodge at its next session, and these votes, if counted, would elect another of the candidates, nevertheless the candidate declared elected by the canvassers is legally elected, notwithstanding the Lodges whose returns had not been received were not in fault, but had fully complied with the requirements of the law, and could not have prevented the accident on account of which they were not received.

1574. An election cannot be legally held under a Constitutional amendment or a revised Constitution of the Grand Lodge, although regularly adopted by it, until it has been approved by the Sovereign Grand Lodge or the Grand Sire in recess.

1575. Returns will not be counted by the Committee on Election Returns for either of the following reasons:

No signature of Noble Grand.	No votes recorded.
No signatures of Tellers.	Voted on wrong date.
No names of Tellers.	Voted by proxy.
More votes than Past Grands.	No return.
No date of election.	Past Grands of another Lodge as Tellers.
No Seal.	No election held.

Particular attention is called to two reasons for rejecting votes—"voting by proxy," and "appointing Past Grands of other Lodges to act as Tellers." Attention was called to the latter cause in 1905, but it was necessary to again refer to it. While throwing out the vote of a Lodge for the reason above stated has not affected the result, there might come a time when the rejection of the vote of one Lodge would change the result, hence the necessity of complying with every form of the election law.

(b). Election for Subordinate Lodge Officers.

1576. Preceding an election, the Lodge has the right to appoint a committee to prepare tickets for the convenience of its members; but it cannot compel the members to vote a ticket so prepared. Every member in good standing has a right, if he prefers it, to prepare a ticket for a candidate on legal nomination and vote it.

1577. A Noble Grand cannot postpone the election of any officer, but the Lodge may, by vote or non-action postpone the election of representative.

1578. When an election of any kind, whether to membership or office, is being held, it is the duty of the presiding officer to conduct, supervise and declare the result of the same, and no motion shall be received or be in order until said result is declared.

1579. Where an election was held in a Subordinate Lodge for a Representative to the Grand Lodge and two candidates of the same surname were in nomination, and votes were cast for one of these candidates without naming which one, and before any decision as to the result was made, a motion was offered and seconded that the vote be retaken, which motion prevailed, such action was illegal.

ELECTION FOR OFFICERS—Election for Subordinate Lodge Officers.

1580. While an election is being held, and after the tellers have announced the result, it is the duty of the presiding officer to declare the result of said election. No motion concerning the election should have been received or is in order until said result was declared.

1581. It is legal and proper to provide by By-Laws that at the election of officers in the Lodge the Warden shall distribute and collect the ballots.

1582. The ballot box is not required to be in the centre of the Lodge room.

1583. The Lodge has the power to decide upon the qualifications and rights of its members to vote at elections.

1584. The By-Laws of a Lodge may fix the form of ballot, that is to say, whether it is to be "written," "printed," or "written or printed."

1585. Where the By-Laws say that the election shall be "by written ballot," the names on the ballot shall be in writing; where by printed ballot, the names on the ballot shall be printed; when "by written or printed ballot," either of the aforesaid character of ballots will be legal.

1586. When but one candidate is in nomination, a member may be directed to cast the ballot for such candidate in behalf of the Lodge. A motion to declare him elected is improper.

1587. Although the Constitution for Subordinate Lodges requires officers to be elected by ballot, a brother who is elected Noble Grand by the usual sign and declared so elected by acclamation, there being no opposing candidate and no objection being made at the time, is a duly elected officer under the law.

1588. The right to vote a secret ballot applies to a poll for the election of officers and representatives.

1589. If the Noble Grand votes for officers he cannot, in case of a tie, vote again. His right to give the casting vote applies to votes upon legislative questions only.

1590. A vote in blank is as much a vote to be counted as though it had the name of a candidate upon it to be elected. To be elected, an officer must have a majority of all the votes cast, including blanks. Where but one candidate is nominated for a given office, he is not elected if the number of blank votes cast exceeds the number of votes cast for the candidate.

1591. Two candidates were in nomination; one received fourteen and the other fifteen votes, and one ballot had on it the names of both candidates. The one receiving fifteen votes was elected, as the vote having both names on it was not a vote for a candidate in nomination.

1592. Where the By-Laws of a Lodge provide that "on the second ballot the poll shall be between the two candidates who shall receive the highest number of votes on the first ballot," or that "the candidate having the smallest number of votes shall be dropped on the next ballot," all the votes cast for candidates other than those remaining in the field under the provisions of the law are void and must be excluded from the poll.

1593. Where an election held has been regular, the forms of law complied with, the candidate eligible and free from all charges, it is not competent for the Lodge, at that or any subsequent meeting by a mere vote, on motion, to declare such an election void. Every officer or member of the Order is, of course, amenable to its laws, and if he offends against them the mode prescribed for trial and conviction must be followed.

1594. If the election for representative in a Lodge was had at the time and in the manner prescribed in our local law, the election cannot be annulled by the Lodge.

ELECTION FOR OFFICERS—Election for Subordinate Lodge Officers.

1595. No error or informality will reverse any election, unless it may have affected the result. If the error be such that it can be seen that it could not by any possibility have affected the result, the decision will not be reversed, for the error has done no harm; but if it might by any possibility have affected the result, there is error, and the decision will be overturned.

1596. The election and installation into office of a member who is disqualified by law for such office is null and void, and should be so declared by the proper authority in the jurisdiction and the vacancy filled according to law.

1597. The brother elected by a Lodge as representative to the Grand Lodge on the meeting night fixed for elections is the representative, and although a reconsideration of the vote may be taken at a subsequent meeting and another brother elected, the one elected on the designated regular election night is the representative.

1598. The casting of an illegal vote does not invalidate a ballot, unless it affirmatively appears that such illegal vote did change or might have changed the result.

1599. Legal votes are not to be thrown out in order to exclude illegal votes, unless necessity requires it as the only means of preventing the consummation of a fraud.

(c). Election at Institution of New Lodge.

1600. The instituting officer of a new Lodge can only appoint officers to fill the chairs temporarily for the institution after which the Lodge should elect and install its officers.

1601. On the institution of a new Lodge, the Special Deputy obligated those charter members only who were Odd Fellows and held cards. As soon as this was done, an election for officers was held, which was confined to those charter members who held cards, and before initiation of those charter members who were not Odd Fellows. The question was asked whether this was legal, or should the charter members who were not Odd Fellows have been initiated before the election of the officers, so that they might vote for same. It was held that the election for officers was properly confined to those who held cards and were obligated in the institution of the Lodge. Only those who take the obligation provided for in the institution of new Lodges constitute the newly instituted Lodge.

1602. Only those who are petitioners for the charter may participate in the election of officers at the institution of a Lodge. Charter members initiated at the institution of a Lodge are not qualified to vote for officers, unless they were initiated in accordance with the legislation of the Sovereign Grand Lodge had in 1906, for the purpose of qualifying the requisite number of petitioners for the new Lodge.

(d). Election at Installation.

1603. Should an insufficient reason be given to the installing officer for the non-attendance of an officer-elect upon the installation night, the installing officer may require the lodge immediately to elect another to fill such office.

1604. A Noble Grand elect having failed to appear for installation and forfeited (under the local law) his office, the member elected and installed in his place is the Noble Grand of the Lodge.

1605. Where a new election is ordered by the Grand Master or a District Deputy Grand Master, or a Special Deputy Grand Master, at an installation, it is his duty to conduct such election, and neither the Noble Grand or any one else has a right to attempt to put a question to the Lodge while the

ELECTION FOR OFFICERS—Election at Installation.

Grand Master or his Deputy is conducting such election, or installing the officers. Any member of the Lodge may vote at such election, although a Grand Officer or acting as such and clothed in his official regalia.

(e). Contested Election.

1606. When an election of officers is contested, the several members voting can legally be examined as to how they voted by a committee appointed for that purpose by the body in which the election took place, or by any other agency created by such body.

1607. In order to vitiate an election the proof as to the illegality of the vote and that it affected the result must be positive. A mere assertion to that effect is insufficient.

1608. The election and installation into office of a member who is disqualified by law for such office is null and void and should be so declared by the proper authority in the jurisdiction and the vacancy filled according to law.

1609. An officer was declared elected by one vote. On the next Lodge night the Lodge held the election void, on the ground that one member voted who was disqualified (but it did not appear for whom he voted), and then proceeded to a new election, and elected another candidate by four votes. The second election was illegal, and the person first declared elected was entitled to the office.

1610. An installing officer has no right to refuse to install an officer on the ground that at the election a member was deprived of his vote on an erroneous statement that he was in arrears for dues. The Lodge has the power to decide upon the qualifications and rights of its members to vote at elections, and if the brother was denied a vote it was his personal grievance and he could appeal, but the installing officer could not for that reason refuse to install the brothers who were returned to him as regularly elected.

1611. If any candidate was injured by the refusal of the Lodge to allow a brother to vote, the candidate injured might also appeal.

1612. Where on the night of election one of the nominees was in arrears for over three months' dues, but the arrearage was unknown to him, and was likewise unknown to the members of the Lodge, the Secretary having given the brother no notice of the arrearage nor did he notify the Lodge of the same, a majority of the members believing in his good standing voted for the brother, and he is declared elected. Under these circumstances it is the duty of the Lodge as soon as the true state of facts are disclosed to declare the election null and void, and to order a new election to fill the vacancy. The second highest candidate has no claim to the office, as the Constitution for Subordinate Lodges provides that the successful candidate must have a majority of all the votes polled.

1613. The election for Representative to the Grand Lodge having been declared null and void on account of the election of a brother who was not eligible for the office, the Lodge should hold a new election to fill the vacancy.

1614. Where on the night of election one candidate received eleven votes and the other received eighteen votes, after the election it was found that the candidate who received eighteen votes was ineligible. It was the duty of the Noble Grand to order a new election. A candidate to be elected must receive a majority of the votes cast.

1615. In the Grand Lodge the Representatives shall decide all contested elections, and cause the candidates then declared elected, if present, to be installed by the Grand Master or a Past Grand Master.

1616. While the Grand Lodge has the power and authority to go behind the returns and investigate any illegalities and irregularities, yet when the

ELECTION FOR OFFICERS—Contested Election.

canvass of the votes has been made and declared in the manner provided by the By-Laws, it is not compelled to do so, and has the right in its discretion to refuse to make any such investigation, and such refusal cannot be assigned for error on appeal to the Sovereign Grand Lodge.

1617. An election is not to be declared void on account of illegal votes, unless it is shown that the casting of such votes affected or might have affected the result.

1618. A Grand Lodge cannot legally discard the entire vote of the Lodge on account of one illegal vote. Unless it can be affirmatively shown that the casting of such illegal vote did change, or might have changed, the result. To give the illegality effect it must be shown that without its happening, the result would have been different. The entire vote of the Lodge is not to be thrown out unless the illegality can be cured in no other way.

1619. The rule is well settled that the whole vote of a Lodge should not be thrown out, on account of illegal votes, if it be practicable to ascertain the number of illegal votes and the candidates for whom cast.

1620. Legal votes are not to be thrown out in order to exclude illegal votes, unless necessity requires it as the only means of preventing consummation of a fraud.

1621. Subordinate Grand Bodies have full power and authority to go behind the returns and investigate any illegalities and irregularities occurring in the election of their officers, and have the right and power to use their own discretion as to the method of making such investigation and to determine for themselves the manner of reaching and declaring the result.

ELIGIBILITY TO OFFICE.

(a) **In the Grand Lodge.** *See* **Good Standing.**

(b). **In the Subordinate Lodge.** *See* **Honors of Office.**

(a). In the Grand Lodge.

1622. A Past Grand to be eligible to office in the Grand Lodge must be in good standing in his Subordinate Lodge.

1623. According to the general law, as well as by the Grand Lodge Constitution, a Past Grand who is not a member of the Grand Lodge is not eligible to office in the Grand Lodge.

1624. The Grand Lodge can elect the Grand Master from the floor without previous service unless its Constitution approved by the Sovereign Grand Lodge contains some provision making him ineligible.

1625. The question was asked whether a Past Grand, who is not a member of the Grand Lodge, would be eligible to appointment as Grand Secretary, if the Grand Master should instruct some one qualified to confer the Past Official and Grand Lodge Degrees upon him. Held that such Past Grand would not be eligible, as no one can be an officer of a Grand Lodge, who is not in fact a member of that Grand Lodge. The Grand Master in vacation has no power to make him a member of the Grand Lodge, because it is fundamental with all Legislative Bodies, and is so under our system that the Grand Lodge itself is the judge of the qualification of its own members. To be an actual member of a Grand Lodge, a Past Grand must have been admitted and had the Grand Lodge Degree conferred upon him, and this cannot be done except by the Grand Lodge when in regular or special session.

1626. The first Noble Grand of a new or revived Lodge, who has served the necessary time, is entitled to the Past Official Degree, and is therefore eligible to admission to the Grand Lodge, when he will be eligible to office in the Grand Lodge.

ELIGIBILITY TO OFFICE—In the Grand Lodge.

1627. A Past Grand otherwise qualified can be nominated for and elected to the office of Grand Secretary and Grand Representative at the same time.

1628. A candidate for Grand Lodge Office must possess at the time of his election all the qualifications prescribed by the law.

1629. The Grand Lodge has no power to add to the qualifications of eligibility to office.

1630. A provision in a Constitution of a Grand Lodge that members cannot be elected to office therein until one year after their admission to membership, or that candidates for Grand Lodge office shall be able to read or write, is illegal.

1631. A provision that the Grand Master, Deputy Grand Master, Grand Treasurer, shall not be re-elected until they have been out of office two terms each, of one year, is illegal, as it is prescribing a new test of eligibility to office.

1632. A Past Grand, a member in good standing of a Lodge, may be elected to and installed into office in the Grand Lodge to which his Lodge is subordinate, although he does not reside in the State in which the Grand Body is located; provided, that there be no prohibition in the local law.

(b). In the Subordinate Lodge.

1633. To be eligible to office in a Subordinate Lodge, the brother must be a member thereof and be in good standing and have attained the Third Degree.

1634. Neither the Grand Lodge, nor a Subordinate Lodge can make or require any other or different qualifications for election to office than those prescribed by the Sovereign Grand Lodge.

1635. Any Scarlet Degree member in good standing in a Subordinate Lodge is eligible to election or appointment to any office in his Lodge, except the office of Noble Grand and Vice Grand.

1636. Any Scarlet Degree member in good standing in a Subordinate Lodge may be elected Noble Grand or Vice Grand of a new or revived Lodge.

1637. To be eligible to the office of Noble Grand a member must have served a term in the office of Vice Grand of a Subordinate Lodge.

1638. A brother is eligible as Noble Grand if he is a Past Vice Grand of any Subordinate Lodge. It is not necessary that he should be a Past Vice Grand of the Lodge of which he is a member and which is electing him Noble Grand.

1639. It is legal to nominate a Vice Grand for Noble Grand, as his term of office will have expired previous to the time for his installation into the office of Noble Grand.

1640. In case of a vacancy in the office of Noble Grand or Vice Grand of a Subordinate Lodge and all qualified brothers refuse to accept either of said offices, the Lodge may elect a Scarlet Degree member thereto; provided, however, that a dispensation for the purpose be first obtained from the Grand Master or the District Deputy Grand Master.

1641. This does not mean that every Past Grand belonging to the Lodge must decline to accept after they are elected. It is sufficient if on the night of election all present decline an election.

1642. To be eligible to the office of Vice Grand a member must have been installed into and served a term in some elective or appointive office in a Subordinate Lodge other than that of Trustee or (prior to 1895), that of Chaplain.

1643. A brother who is elected or appointed to fill a vacancy in any office in the Lodge, being installed therein and filling the position during the

balance of the term, is entitled to the honors of the office, and to have credit for a term of service therein in determining his eligibility for election to Vice Grand or Noble Grand, as the case may be.

1644. Previous service in office to qualify a brother to be elected Noble Grand or Vice Grand means service not only for a majority of nights of a term, but up to the end thereof; therefore, if a brother resigns he will lose his credit for service in the office even though he may have served a majority of the nights in the term.

1645. A candidate for office in a subordinate Lodge must be in good standing on the night of election, and the law is satisfied if the officer is otherwise found eligible at the time of his induction into office; for example, it is legal to nominate and elect a Vice Grand for Noble Grand as his term of office will have expired previous to the time of his installation into the office of Noble Grand.

1646. A candidate who is ineligible by reason of not being in good standing on election night, cannot make himself eligible so as to be installed on installation night. The election being illegal, the installation would be void.

1647. A member over thirteen (13) weeks in arrears when elected to office is ineligible, and payment of said arrears on the night of installation does not remove the disability.

EMBEZZLEMENT.

1648. Embezzlement is an offense against good morals, a crime and consequent violation of law, as well those of the State as those of the Order, and is conduct unbecoming an Odd Fellow.

1649. In 1860 the Sovereign Grand Lodge decided in a case where the Treasurer of a Lodge became involved, and immediately informed his sureties and executed a mortgage to them to secure them and the Lodge from loss; and subsequently the Lodge took an assignment of the mortgage to the Lodge to secure it from loss and released the sureties, that under these circumstances it was improper to prefer charges against the Treasurer for appropriating the funds to his own use, and convict him, the Lodge having made a final settlement with him, he having secured the Lodge against loss, showing that he did not design to defraud the Lodge.

1650. In 1885, on an appeal, the Sovereign Grand Lodge decided that where an officer who uses the funds of the Lodge entrusted to his keeping for his own purposes violates his obligation, and is guilty of an offence against the laws of the Order. No matter how honestly he may have intended to pay it back the offence nevertheless is committed. It is trust funds, and must be sacredly kept for the purposes for which it was raised, and any attempt of a Lodge to release a Treasurer from his defalcation by taking property or security in lieu of money, is illegal and void, and is in effect a donation of so many dollars out of the Treasury of the Lodge.

1651. While in 1898 it held that settlement with a Lodge by a defaulting officer, by repayment of the amount embezzled by note does not prevent the trial, conviction and punishment of the offending brother by the Lodge, nor would the fact that the public statutes of the State or government wherein such Lodge was located making such a settlement a condonation and bar to criminal prosecution in any way mitigate the offense against Odd Fellowship as between an Odd Fellow and his Lodge.

1652. While in 1899 it decided, on appeal, that when a brother charged with misappropriating the funds of the lodge pleads guilty to having unlawfully used such funds, but without any wrongful intent to misappropriate them, and upon trial the Lodge accepts such plea, it is allowable to punish such brother by suspending instead of expelling him. In this case the accused brother pleaded in extenuation of his offense that the wrong had been committed unintentionally, and promised to endeavor to repair the wrong he had committed. Held further that the Lodge had a right to accept the plea

of the accused as a correct statement of the nature and extent of the offense. And further, the Lodge, in pronouncing judgment, has a right to fix any penalty prescribed by the laws of the Order, unless a specific penalty has been prescribed for the particular offense for which the accused has been adjudged guilty.

[It is evident from a careful reading of the above sections under this heading that the Sovereign Grand Lodge has not definitely determined any particular rule of law governing this class of cases, but that each case has been decided according to the peculiar circumstances incident to itself, and that moreover in each case of this character the Lodge is the best judge, not only as to the extent of the offense, but as to the adequate punishment therefor.]

EMBLEMS AND NAME OF THE ORDER.

1653. The emblem of "three links," the words "Friendship, Love and Truth," and the initials "F. L. T." are officially adopted as emblems and badges of the Order.

1654. The right to wear the official badge, emblem or Jewel of the Independent Order of Odd Fellows is necessarily dependent upon active membership therein. A member suspended for non-payment of dues cannot wear an official badge, emblem or Jewel of the Order, and thus hold himself out to the world as an Odd Fellow, without violating the laws of the Order.

1655. No member shall expose on any sign, emblems of the Order or anything relating to Odd Fellowship, on pain of expulsion.

1656. No member of the Order shall, either directly or indirectly, use or sanction the use of any of the emblems, the name, or any of the titles, or the mottoes or the initials thereof, of this Order in the prosecution of any private business or enterprise.

1657. An association incorporated under the name of "Odd Fellows' Building Association, Limited," organized for the purpose of providing ways and means for the profitable investment of its funds in the purchase of land and the erection and maintenance thereon of a building to be known as "Odd Fellows' Hall," and not limiting its membership to the members of the Order, is in conflict with the general law, and therefore illegal.

1658. It is within the power of a Grand Lodge, to which application is made for the use of the name of the Order to decide whether or not the enterprise for which such application is made comes within the legitimate uses of the Order; but the decision of such Grand Lodge must be in pursuance of the legislation of the Sovereign Grand Lodge and especially in furtherance of the specific prohibitions and general tenor of the resolution of the Sovereign Grand Lodge. Such decision must, of course, also be made subject to the revisory jurisdiction of the Sovereign Grand Lodge.

1659. A member of the Order shall not use any of its emblems, its name or any of its titles, its mottoes, or the initials thereof in any advertisement or public display not authorized by some law of the Order.

1660. Any member of the Order or officer of a Lodge who shall be guilty of any of the offences defined and set forth in the preceding Sections shall be considered guilty of a fraud upon the Order, and shall be suspended or expelled from membership, at the option of his Lodge.

1661. The foregoing shall not be construed to apply to any periodical or newspaper now published, or hereafter to be published in the interests of the Order, in good faith, by a member or members of the Order in good standing, unless such publication shall, under cover of the interests of the Order, give publicity to any of the signs, emblems, mottoes, or other secrets of the Order, in advertisement or otherwise, for the benefit of individuals or companies, or for the advancement of their own private interests.

1662. If any such periodical or newspaper shall offend against the provisions of this regulation, it shall be the duty of the Grand Master to warn

the publishers of said periodical or newspaper to discontinue such conduct, and in the event of the continuance of such publications or advertisements, and persistent disobedience to said warning, it shall be the duty of the Grand Master to prefer charges against the offending party, or parties, before his or their Subordinate Lodge; and it shall be the duty of such Lodge to arraign and try the party, or parties, so charged and, upon conviction of the offense, to suspend or expel the offender.

1663. The Sovereign Grand Lodge and Grand Bodies of jurisdictions possess the inherent right to control the use of the name of the Order and its emblems, within the limit bounds of the Sovereign or a particular jurisdiction; and can refuse to allow the use of the same by insurance companies, and otherwise successfully interdict the solicitation for insurance of members of the Order in Lodges, Encampments, etc., or elsewhere, as "Odd Fellows."

1664 According to the General Law of this Order, no Life or Endowment Insurance Company or Association can use the name or emblems of this Order directly or indirectly, in connection with its name, or the business of the company.

1665. The General Law of the Order does not recognize any private company or corporation of any kind, although it advertises to conduct its business with Odd Fellows only.

1666. The use by Lodges of charts, etc., containing figures, emblems and mottoes not found among the recognized and legitimate symbols of the Order is clearly in conflict with our organic law. The use of such charts, etc., is a wilful breach of the law. The charts published by the Sovereign Grand Lodge are the only ones that Lodges are permitted to use.

1667. A testimonial for cure for the liquor habit printed as a circular letter bearing the letterhead of a Lodge, with emblems, etc., and signed by the Secretary as such, is in violation of law.

1668. It is unlawful to use the name or emblems of the Order in connection with any enterprise not conducted wholly in the interests of the Order.

1669. There is no general law to prevent a band, some of the members of which are members of an Odd Fellows' Lodge, from taking the name of such Lodge, provided the consent of the Lodge be first had and obtained.

1670. A resolution adopted by a Lodge, "That the union label be placed on all local printing of this Lodge," is a violation of the law against the use of the name and emblems of the Order in connection with any advertisement, or for public display, not directly appertaining to the Order.

ENCAMPMENT OR PATRIARCHAL ODD FELLOWSHIP.

See Certificates.

1671. To acquire or retain membership in an Encampment of Patriarchs, full membership and good standing in a Subordinate Lodge in good standing is indispensably necessary.

1672. The Grand Lodge has proclaimed to its subordinates that "the Encampment branch is the crowning point of an Odd Fellow's career, as it confers the degrees known as the Sublime Degrees of the Order. Many of our best members have as yet failed to obtain the secrets of these degrees, which inculcate lessons with which every brotner should be acquainted; therefore, the Scarlet Degree members in this jurisdiction are fraternally urged to join an Encampment of Odd Fellows; this Grand Lodge looks with pleasure upon every effort made to increase the number of Patriarchs in Pennsylvania, and does hereby recommend to the Lodges under its jurisdiction to give encouragement to its members to join Encampments.

1673. It is the duty of the Secretary of a member's Lodge, when he desires to join an Encampment, to furnish him with a certificate showing that

he has acquired full membership in the Lodge and is in good standing therein.

1674. A brother of the Third Degree in good standing, desiring a certificate of his grade to enable him to join an Encampment, is entitled to receive the same from the Secretary of his Lodge, in due form upon application, and no vote of the Lodge is necessary for such certificate. Neither a Lodge, nor the Secretary thereof, has the right to refuse to issue to a brother of the Third Degree, in good standing, a certificate of his standing in the Lodge, which certificate is necessary to be filed for membership in an Encampment.

The following form of certificate may be used:

.....Lodge, No., I. O. O. F.
....., 10...

To Whom it May Concern:

This certifies that Brother, is a member in good standing of Lodge, No., under the jurisdiction of the Grand Lodge of Pennsylvania, and that he has taken the First, Second and Third Degrees of the Order.

In testimony whereof I have hereunto signed my name, and the seal of the Lodge, this day of

....., Secretary.

(Seal.)

In this connection, attention is called to the following approved decision of the Grand Patriarch of Pennsylvania:

"Is the Official Certificate or receipt for dues, under the present law, a certificate of good standing in the Lodge, within the time covered by date thereon, for all purposes in the Encampment; and can it be used in the case of a brother applying for admission in an Encampment, and in case of a petitioner for a charter for a new Encampment, or a petitioner for the restoration of the charter of a defunct Encampment?"

"Answer—Yes. An Official Certificate is a sufficient guarantee of good standing to accompany a petition for membership. (Sov. Gr. Ld., 1899, page 29). Provided, that the certificate bears the rank of the brother as a Third Degree member (Sov. Gr. Ld., 1884, page 9503). It is imperative with the Lodge granting the certificate to state in it the highest rank the brother has attained in the Lodge, especially is this the case when such brother demands such statement.—(Sov. Gr. Ld., 1898, page 15746)."

1675. It is also the duty of the Secretary to keep a list of members who have joined Encampments, and at once inform a brother's Encampment of any change in his membership according to the happening of either of the following exceptions, so that the Encampment may govern itself accordingly:

1676. First Exception—When a member of an Encampment in good standing takes a Withdrawal Card from the Subordinate Lodge of which he may be a member, his membership in the Encampment shall not be affected thereby for a year from the date of his said Withdrawal Card. He shall be considered in good standing in his Encampment if he deposits his Withdrawal Card in a Subordinate Lodge and becomes a member thereof at any time within a year from the date of his said Withdrawal Card; provided, he shall keep his dues paid up in the Encampment during that time.

1677. Second Exception—The suspension of a member of an Encampment for non-payment of dues by his Lodge shall not affect the standing of said member in his Encampment for the term of one year thereafter; provided, the Patriarch shall not rest under any disability during the interim in his Encampment.

1678. Third Exception—When a brother is a member of both a Subordinate Lodge and Encampment, and his Subordinate Lodge shall become extinct and by reason of age or infirmity he cannot successfully apply for membership in another Subordinate Lodge, upon his obtaining a Grand Lodge Card from the Grand Secretary of his jurisdiction he shall be entitled to retain his membership in his Encampment upon said card.

ENTERING AND RETIRING.

See Regalia, Meetings.

1679. Every Subordinate Lodge, when open, is a Third Degree Lodge, and none other is recognized by our laws. When reduced to the Initiatory, the First or Second Degrees, it is the same Lodge, but open for specific purposes only, in a lower degree.

1680. "Members can retire from the Lodge room when the Lodge is closed in one degree and before it is opened in another."

1681. The Third Degree Lodge opened at the beginning is not closed, in any sense, except to confer degrees, until formally closed at the end of the session; but when open to confer any lower degree, any member who has received such degree is entitled to be admitted.

1682. It is the duty of every member of a Lodge to assist, by his presence at least, in transacting its business; and he has no right, by a voluntary and capricious act on his part, to interrupt Lodge business, or bring its business to a standstill. A Noble Grand has the right and authority, in such an emergency as will leave the Lodge without a sufficient number to transact business, to decline to recognize the brother, which is equivalent to denying him permission to retire.

1683. A brother is not entitled to enter or retire from the Lodge room unless clothed in proper regalia.

1684. If an officer desires to enter and his regalia be in his chair in the Lodge room, he must enter in a scarlet regalia, and there exchange it for his official regalia.

1685. A By-Law permitting firemen to retire from the Lodge upon an alarm of fire, without addressing the chair, during the conferring of a degree, is illegal.

1686. A brother in good standing cannot be kept out of his Grand or Subordinate Lodge while the minutes are being read, if he desires to enter and can work his way into the Lodge.

1687. No officer or member can enter or retire from a Lodge when open and working as such, without observing the usual formalities, addressing the chairs, etc., except the officer in charge of a candidate and the Degree Staff, when conferring the degrees.

1688. A member of a Lodge entering a Lodge room while the Lodge is in recess, if he should have gained access without the usual formalities, should be required to retire and work his way in according to law when the Lodge resumes its regular session.

1689. It is not necessary for officers of the Degree Staff to enter from or retire to the ante-room through the doorway in charge of Inside Guardian, nor need they address the chair as directed in the Ritual.

1690. A Grand Officer visiting a Subordinate Lodge is given the honors of the Order after he has addressed the chair and on retiring from the Lodge.

1691. When a visiting brother shall have proved himself entitled to admission in the manner required by law, he shall be introduced to the Lodge by the Examining Committee, and not work his way in.

1692. The installing officer and such other members of the Grand Lodge as may assemble to aid in these ceremonies are required, before entering the ante-room, to give the same pass word that is demanded of other brothers; but after the Lodge has been duly informed by the Grand Marshal of the presence in the ante-room of the installing officers, no pass word shall be required of them at the inner door.

1693. When the officers at installation retire in charge of the Grand Marshal for examination, they should retire in form; that is, address the chairs.

1694. Officers-elect having been examined in the ante-room when they enter for installation, do not address the chairs.

ENTERING AND RETIRING.

1695. A Past Grand should neither enter nor remain in a Lodge when open without wearing a Past Grand's collar.

1696. Attention is called to the instructions concerning entering and retiring, to be found in the Ritual.

EVIDENCE.

(a) General Principles.
(b). {Weight and Sufficiency of Evidence. Conflicting Evidence.
(c). Of Former Membership and Rank in the Order.
(d). Of Beneficial Standing.

See Trials. Appeals. *See* Charges. Witnesses *See* Testimony. Commissioner.

(a). General Principles.

1697. Evidence is the means by which the existence or non-existence or the truth or falsehood of an alleged fact is ascertained or made evident, or more generally, the facts upon which reasoning from effect to cause is based.

1698. There are no specific rules of evidence in the Order, except that the evidence must be the best under which all the circumstances is obtainable, and in the absence of other regulations should be taken in the same manner and with the same effect as legal testimony taken in courts of justice.

1699. It must be positive, affirmative and direct, not negative, heresay or indirect.

1700. It must not be exparte, that is, such as has deprived the other party of his or its opportunity to cross-examination.

1701. As in courts of justice, it must be primary, which is the best evidence as distinguished from secondary evidence, or evidence of such a nature as to imply, unless explanation is given, that better evidence exists and is kept back; for example, if it is sought to prove the contents of a written contract, the instrument itself is the best evidence of the contents, and it must be produced or satisfactory excuse must be given before witnesses can be allowed to testify what the contents were.

1702. Competent evidence, satisfactory evidence, or sufficient evidence are synonymous terms, meaning such evidence as in amount is adequate to justify the conclusion in support of which it is adduced; for example, the Sovereign Grand Lodge has said that charges which are not supported by competent evidence cannot be sustained.

1703. A record of a trial in the courts upon a charge of the violation of the laws of the land, is prima facie proof of the facts appearing therein; and where charges are preferred against a brother for a violation of the laws of the Order, the same as he has been tried for in the courts; the record in the courts is competent proof in the trial in the Lodge, and is conclusive, unless other evidence be introduced besides that in the record; and on such trial either party may introduce such evidence as is not embraced in the record.

1704. On the trial of a brother, the testimony of a witness must be rejected who is offered to prove from recollection the contents of a document not lost, but on file and recorded in the Minutes of the Lodge.

1705. The record of acquittal upon a charge of feigning sickness to obtain benefits, such record containing the evidence upon that issue is sufficient to establish the brother's right to these benefits.

1706. Members of a Rebekah Lodge or an Encampment may be tried and expelled from such Lodge or encampment for conduct unbecoming an Odd Fellow, and in case of conviction therein there is no objection to the introduction of the record of conviction in evidence before the Subordinate Lodge or trial committee, stating in general terms the nature of the charges and

EVIDENCE—General Principles.

without disclosing any of the secret records or workings of such Rebekah Lodge or Encampment, and properly certified by the officers of such Lodge or Encampment under its seal.

1707. Positive evidence of illness cannot be overcome by testimony that the claimant did not appear to be ill nor by any amount of negative testimony.

1708. While an exparte statement may be regarded as evidence sufficient to place a brother on trial, it is not admissible on the trial.

1709. A brother was declared off the sick list, but made no complaint of the action of the Lodge until some ten months thereafter, when he appealed to the Grand Lodge. There was a provision in the Lodge Constitution that if any member believed a brother applying for benefits was not so sick as to be entitled to them, the question should be referred to one or more physicians, whose decision should be final. Immediately upon the appeal the Lodge directed the medical investigation required by law, and this was adverse to the claimant. Held, that this decision was final.

1710. Where the contention is that a brother at the time of his admission to the Lodge concealed an infirmity amounting to a condition of unsound health, an affidavit made and filed by the brother in his claim for a pension is competent evidence tending to show the brother's knowledge of his infirmity at the time of his admission, and as to the condition of the infirmity at that time as therein stated.

1711. Where a decision of a civil court, say the Superior Court, is being cited before a Trial Committee as bearing by analogy upon the question involved, it would not be competent to go into evidence to show the grounds on which the Superior Court reached its conclusions. Such a procedure would encumber the record of the Trial Committee with a multiplicity of irrelevant issues.

b). Weight, Sufficiency and Conclusiveness of the Evidence, Conflicting Evidence.

1712. In a trial on charges for feigning sickness and claiming benefits, there is some conflict of testimony upon the question whether the appellant was entitled to benefits. If the matter was a claim for benefits, there is sufficient testimony to warrant a finding either way, and it is a well settled rule that a judgment will not be reversed upon the mere weight of the evidence. But here is a charge of fraudulently misrepresenting his condition, to obtain benefits. The fact that sufficient testimony was submitted to have warranted a finding in favor of the appellant, upon a contested claim for benefits, is a complete vindication as to the charge of attempting to defraud. The brother believed he had a just claim for benefits; whether he ought to recover them is not presented and not decided. But by the production of such testimony as would warrant a Trial Committee in deciding in his favor, any inferences of fraud are conclusively rebutted.

1713. Charges which are not supported by competent evidence, cannot be sustained and the appeal will be dismissed.

1714. A Subordinate Lodge to which a brother belongs, in whose neighborhood he resides, who are acquainted with the witnesses produced, and under whose direction the testimony is taken, are the best judges of the weight of such testimony, and no appellant body acting upon the inspection of the written testimony merely ought to revise the judgment of the Subordinate Lodge, upon it, unless it clearly appears that the Subordinate Lodge has acted improperly, hastily or in a spirit unworthy of our Order.

1715. The Subordinate Lodge is the proper body to decide as to the weight and effect of conflicting testimony, and after the Grand Lodge has, in such case, passed upon the action of such subordinate on appeal the Sovereign Grand Lodge will not disturb the judgment.

EVIDENCE—Weight, Sufficiency and Conclusiveness of,—Conflicting Evidence.

1716. Where a Subordinate Lodge acts upon a report of a committee upon matters of fact only, when there is evidence to sustain the charges, such action will be sustained by the Sovereign Grand Lodge, on appeal, after the Grand Lodge has passed upon the evidence and confirmed the judgment of the Lodge.

1717. The Lodge may be reversed on the ground that the charges are not sustained by the evidence.

1718. If the evidence is so meagre that the truth of the case cannot be ascertained a rehearing will be ordered on appeal.

1719. When a brother has been convicted by his Lodge and there is not sufficient proof to convict the brother of the intent to defraud the Lodge in any way, shape or manner he will be reinstated on appeal.

1720. It is within the jurisdiction of the Grand Lodge and the Sovereign Grand Lodge, upon appeal, to weigh the evidence and decide upon its preponderance in order to do substantial justice, and this is especially so where the exceeding disparity of the evidence is so great as to place it beyond the point of conflicting testimony.

1721. Where it was conceded that a brother is afflicted in some degree with disease, and the only point in controversy is, is it to such a degree as to render him incapable of pursuing his usual occupation or otherwise earning a livelihood, it is not within the province of the Grand Lodge or Sovereign Grand Lodge, on appeal, to disturb the findings of the tribunal that had the witnesses before it when the conflict of testimony is great. This is especially so when the preponderance of the testimony is in favor of those findings.

1722. Uncontradicted evidence raises a question of law upon which an appeal can be based, but where there is a substantial conflict in the evidence, or in cases where the finding is not strongly and decidedly against the weight of the evidence, the finding will not be interfered with or disturbed.

1723. The Sovereign Grand Lodge will not review a case merely upon the weight of the evidence. Where there has been a full and fair hearing on the evidence, and no errors of law have been shown, the finding and decision of a Grand Lodge is conclusive.

1724. Where the question to be determined was whether or not certain proceedings were had in a Grand Lodge, the Sovereign Grand Lodge approved the ruling of the commissioners that they would confine themselves exclusively to the manuscript record of the proceedings as the best evidence of the action of the Grand Lodge, under the peculiar circumstances of this case, and that they would therefore ignore any parol testimony that may be taken in the controversy.

1725. In an appeal from the action of a Subordinate Lodge under its immediate jurisdiction, the Sovereign Grand Lodge reversed the conviction and expulsion on the ground that there was no specific evidence to warrant it.

1726. A conviction was reversed and a Grand Lodge was instructed to reinstate a member "on the ground that the charges preferred have not been sustained by the evidence."

1727. The Sovereign Grand Lodge rather regards with favor than otherwise a disposition to get at the whole truth, so as to do entire and impartial justice between the parties.

1728. In a case where it was urged upon the Appeal Committee that it was the rule never to reverse a cause simply upon the evidence where there is sufficient evidence to sustain the findings and judgment of the Lodge, even though the evidence be conflicting, it was held that there is no instance recorded where it has been decided by the Sovereign Grand Lodge that a Grand Lodge had not power to review the facts, unless the Constitution or laws prohibited it. The principle invoked by the Lodge ap-

plies where there was some legal evidence in the case, and therefore the body in which the case was tried, and who had the witnesses before it, was the best judge of the weight which should be given to conflicting testimony.

1729. A Grand Lodge has jurisdiction upon appeal to review all questions of fact, unless its Constitution or laws prohibit it, and may in all cases examine the record to ascertain if there is an entire absence of legal testimony.

1730. The determination of a case depended upon the question whether the brother's disability results from paralysis or decrepitude incident to old age. The testimony was conflicting. In such cases the tribunal which hears the witnesses or know them is best able to judge. The Lodge unanimously decided that the disability arose from old age, and that hence they were not responsible. The Appeal Committee was divided in opinion. In such a case the Lodge should be sustained.

1731. It is regarded as a safe rule and good practice not to interfere with or disturb findings on evidence where there is either a substantial conflict in evidence, or in cases in which the finding is not strongly and decidedly against the weight of evidence.

(c). Of Former Membership and Rank in the Order.

1732. "Satisfactory evidence of former connection with the Order," within the meaning of the law, must come from the Lodge of which the brother was formerly a member; or, in the event of such evidence being inaccessible, by reason of its being defunct or otherwise, then from the Grand Body under whose jurisdiction the subordinate existed; and should neither of these be accessible or obtainable, then such evidence shall be regulated for each of the Grand Jurisdictions by the Grand Bodies thereof. Should the applicant fail to meet the requirements, he may then make petition for admission into the Order by initiation as prescribed by existing law.

1733. When a brother applies to the Grand Secretary for a Grand Lodge card as a member of a defunct Lodge, he must furnish satisfactory evidence to that officer that he, the applicant, is at the time worthy of the recommendation to the friendship and protection of the Brotherhood, which evidence must, of course, be such as will satisfy the Grand Secretary.

1734. In the case of a brother who has honorably withdrawn from his Lodge by card and has remained out of the Order for a period of twelve months, his card thereupon becomes invalid for the purpose of visiting, but remains effective as evidence of previous good standing in the Order when application is made for a renewal of membership.

1735. The amount and character of the evidence which should be required by the Grand Lodge before conferring the several degrees is a matter entirely for the Grand Lodge to determine.

1736. A brother joined a Lodge in one jurisdiction on a card from another, certifying that he was a Past Grand, but he had not received the Past Grand's Degree. He was then elected Representative to his Grand Lodge and presented with his credentials as such, a duly authenticated certificate from the Lodge of which he was formerly a member to its Grand Lodge, certifying that he was entitled to receive the Grand Lodge Degree. Held that this latter certificate alone was not sufficient evidence under the general law that the brother was entitled to receive the Past Official and Grand Lodge Degrees, but that that certificate, taken in connection with the certificate as Representative, was sufficient evidence to authorize the degrees to be conferred on him by his Grand Lodge, and to authorize it to admit him to membership and a seat in such Grand Lodge.

1737. Unless a brother, when admitted to membership, produces satisfactory proof of his rank to the Lodge of which he is a member he cannot be recognized as a Past Grand.

EVIDENCE—Of Former Membership and Rank in the Order.

1738. A card stating the rank of the holder thereof is not sufficient or conclusive evidence to entitle him to the privileges such rank confers. He must be proved in the work of the degree of the Subordinate Lodge expressed in the card if he claims to have ever received this degree.

(d). Evidence of Beneficial Standing.

1739. The best evidence of a member's beneficial standing, when within the jurisdiction of his Lodge is the books of his Lodge.

1740. The possession of a Visiting Card in date, stating the amount of benefits which the Lodge issuing such card pays to a member in good standing when sick or disabled and unable to follow his usual occupation, or otherwise earning a livelihood for himself, is sufficient authority to warrant the payment of sick benefits by a Lodge of the same or another jurisdiction, upon proper proof and satisfactory examination; provided, that it shall be the duty of the Lodge receiving the card to immediately notify the Lodge issuing the card.

1741. If the card of a sojourning brother states that his Lodge pays for watchers and the amount, the Lodge having the brother in charge, in case of sickness, has a right to pay not exceeding that amount, notwithstanding it may provide for watching with its own sick by draft of its own members.

EXCURSIONS, PICNICS, Etc.

1742. No Subordinate or Grand Lodge, Rebekah Lodge or Convention, Subordinate or Grand Encampment, Canton or Grand Canton, and no member of any of the above organizations, of any rank or station in the same, shall hold or make any arrangement for, or manage, or to any extent control, any anniversary, excursion, picnic, ball, or party, or entertainment of any kind, wherein regalia, emblems or name of the Order will be worn, assumed, or used, without first obtaining the consent of the Executive Grand Officer in the jurisdiction, or department of the Order, in which the entertainment is proposed to be held. Such permission only to be predicated upon the direct promise, through the officers of the Subordinate or Grand Body seeking the permission, that no intoxicating beverages of any kind shall be offered to the members or guests present on the occasion.

1743. Funds paid into the treasury to answer the call of the sick, to bury the dead, to educate the orphan, or to answer the legitimate expenses of the Lodge, cannot be diverted from the Treasury to be expended in pleasure excursions, picnics, or the like, for these are not the legitimate purposes of the Order. To appropriate money from the Treasury in payment of expenditures incurred in such excursions is a misappropriation of the funds provided for the sick, the burial of the dead, the education of the orphan, and the legitimate expenses of the Lodge.

EXPULSION.

(a). Of a Member.
See Charges.
Trial.

(b). Of a Lodge.
See Offenses.
Reinstatement.

(a). Expulsion of a Member.

1744. Expulsion is the most severe punishment inflicted by the laws of the Order upon evil-doers. It can only be inflicted after charges, trial and conviction, in accordance with the due process of law.

1745. Expulsion is the highest penalty which our laws can inflict; it is never resorted to except for cause; and the fact of a member being expelled implies that he has been guilty of a misdemeanor, or some offence against our laws. By such an act the Order is purged of his presence, and members

of a Lodge are required to do nothing more, unless the offence be a criminal one, in which case, in their character of citizens, they are bound to sustain the laws of the country.

1746. The proceedings must be more rigidly scanned, on appeal, when their result is the gravest and highest punishment known in the Order—expulsion.

1747. The question of the expulsion of a brother from this Order is a most serious one—it deprives him of valuable privileges—and any proceedings leading to such an end should be one in which the letter of the law has been strictly followed, and in which every right of the accused has been granted and recognized.

1748. A member of our Order, when accused of an offense against our laws, has the right to demand that his guilt be clearly proven before a Lodge can deprive him of his membership. The taking away by a Lodge of the high and priceless relation of membership in our Order is a grave action, and should never be done except it is clear that the offense charged is criminal under our law, and the evidence to sustain it is satisfactory.

1749. Where a member or a Lodge has been adjudged guilty and the punishment is "expulsion" under the laws of the Sovereign Grand Lodge, the Lodge must expel him, or the Grand Lodge must expel the Subordinate Lodge, as the case may happen to be.

1750. As the law requires a two-third vote, the Grand Master has no authority to set it aside, and direct expulsion by a majority vote. If the Lodge has the discretion to fix a penalty and declines by the necessary vote to make it expulsion, the Grand Master cannot direct the Lodge to expel.

1751. An expelled member is completely out of the Order, where the charges were made, trial had, and he was adjudged guilty in his Subordinate Lodge. If the penalty of expulsion was inflicted after trial in the Grand Lodge, then the penalty only extends to sever membership in that body, not from the Order at large.

1752. There can be no reconsideration of the vote by which a member was expelled, as he is out of the Order, and can only return in the manner prescribed by law.

1753. The law which says that there can be no reconsideration of a ballot for expulsion does not hold where one of the supporters of the accused is, on the ballot for suspension, caught putting two ballots in the box, which, if true for the previous ballot for expulsion, would have made the necessary two-thirds vote for expulsion, and where a count of the brothers present shows that there had been one more vote cast on the ballot for expulsion than there were brothers in the room.

1754. A member who has been expelled from a Subordinate Lodge appeals to the Grand Lodge in his jurisdiction and the appeal is dismissed. An appeal is taken from the action of his Grand Lodge to the Sovereign Grand Lodge; the appeal is sustained, and the Grand Lodge is instructed to direct the Subordinate Lodge to restore the brother to membership. In such case the position of the brother in the Order during the time between the adjournment of the session of the Sovereign Grand Lodge at which the appeal was sustained, and the time the Subordinate Lodge receives official notice from its Grand Lodge to restore the brother to membership is that he still stands expelled until official notice reaches the Subordinate from the Grand Lodge, and then he should, of course, be restored to all his rights. The action of the Sovereign Grand Lodge takes effect when officially made known to the Subordinate Lodge through the State or Territorial Grand Lodge, and not before.

EXPULSION.

(b). Expulsion of a Lodge.

See Reinstatement of a Lodge. *See* Restoration of Charter.

1755. No act of an expelled Lodge performed after the expulsion was published will be considered legal, and it is not competent for a Grand Lodge to legalize initiations made by a Lodge during its expulsion.

1756. When a Lodge is reinstated, those persons who were in office at the time of its suspension or expulsion should resume their several offices, without regard to the duration of the time intervening between the date of such suspension or expulsion and the reinstatement. The period of its suspension or expulsion is a blank in its existence, and whatsoever is done in such an interval by the persons claiming to be a Lodge is without authority and in contempt of law, and must be regarded as not merely voidable, but utterly void. When the disability is removed, then the Lodge starts again into the exercise of its various functions, and the rights of the several members to the offices they held when the disability was imposed revive with its revival, and they shall proceed at once with their respective duties as though there had been no interruption.

1757. A Lodge cannot be blotted out of existence and deprived of all rights by action of the Grand Lodge without an opportunity to make answer and defense to charges preferred; but action, suspending a Lodge temporarily pending a trial upon charges duly preferred, such trial to be promptly given is warranted by law.

1758. When a Lodge is expelled its functions cease altogether.

1759. A member of an expelled Lodge has not the right to visit on an unexpired Visiting Card granted prior to such suspension or expulsion. He is suspended from his privileges in the Order, and cannot visit or exercise any of the privileges of membership until he has been specially relieved from the disability by the restoration of the charter, or by action of the Grand Lodge Officers in granting him a proper Card of Withdrawal or Dismissal Certificate. But it is competent for a Subordinate Lodge to receive on deposit a Withdrawal Card granted by such expelled Lodge if, at the time it was granted, the Lodge labored under no disability.

FALSE CHARGES.

1760. The usage and custom of the Order recognize the bringing of false charges as an offense against the Order, and as conduct unbecoming an Odd Fellow.

1761. The By-Laws of a Lodge provided that a member might be tried for wilfully bringing false charges against a brother. Under this By-Law a member was convicted and expelled on proof that he verbally made a false charge against a brother. Held that the action of the Lodge convicting the accused should be reversed on the ground that he was found guilty of an offense with which he was not charged, the By-Law having reference only to written charges, regularly preferred in the Lodge, and not to mere accusation.

1762. An affidavit made in good faith by the advice and consent of prominent and reputable members of the Order, and for a legitimate purpose, does not constitute an offense.

1763. There is no law or rule of Odd Fellowship which prevents a brother from stigmatizing as false and corrupt any affidavit or other evidence sought to be used against him, unless it shall appear that such charges are maliciously and wilfully made, and not justified by probable cause.

FEES.

See Dues. *See* Degrees.
Initiation Fees. Dispensations.
Assessments.

FEIGNING.

(a). Feigning Sickness. (b). Feigning Recovery.

(a). Feigning Sickness.

1764. Fraudulently claiming benefits and feigning sickness is an offense, upon the conviction for which the Lodge may inflict any punishment it thinks the facts of the case warrant, even to expulsion, subject, of course, to review under the appeal procedure.

1765. A brother was charged with conduct unbecoming an Odd Fellow. The specifications set forth that while on the sick list and drawing benefits, he had handled and purchased goods at auction; that he was away from home as late as eleven o'clock at night; that members of the Relief Committee were unable to find him at home either day or night, and that when he found that his delinquencies were discovered, he declared off the sick list. Of this charge he was found guilty and expelled by an unanimous vote of the Lodge. He was reinstated by the Grand Lodge on the ground that the charge against him did not constitute an offense.

1766. The mere notice by a brother to the Noble Grand that he will claim any special amount of benefits is no violation of any rule or law of the Order. There must be an actual claim presented and an attempt made to defraud the Lodge before a brother can be held liable for an infraction of his duty as an Odd Fellow.

1767. Charges were preferred against a brother and he was expelled from the Order for attempting to defraud the Lodge by claiming benefits for a cutaneous eruption produced by the application of croton oil to the skin, and which he represented to be a natural disease.

(b). Feigning Recovery.

1768. Under a By-Law which reduces the benefits after a stated number of weeks' sickness, a member who declares himself off the sick list at or near the expiration of the time named, and again reports himself sick, unless he has entirely recovered from the disability or sickness for which he had received benefits before declaring himself off, is not entitled to the higher rate of benefits; and if it appears to be the purpose of the claimant, such action may be regarded as an attempt to defraud the Lodge, and charges may be preferred against him for conduct unbecoming an Odd Fellow.

FESTIVALS.

See Application to Use the Name of the Order. *See* Regalia, &c.

FINANCES.

See Grand Master.
Decisions.
Mandate.
See Appropriations.
Appeals.
Funds.

1769. A Subordinate Lodge has control over its finances, and may utilize them for such benevolent, or other legitimate purposes, as the members may deem expedient, having a due regard for the reversionary interest of the Grand Lodge, and such control is also limited by the general law.

1770. In the disbursements of the moneys of the Grand Lodge, the expenditures are required to be confined strictly to the objects for which such appropriations were made.

1771. Where a Lodge directs an order to be drawn upon its Treasury in clear violation of the laws of the Order, and persists in its intention to so appropriate the money, an appeal should be at once taken to the Grand Master, which will have the effect of staying further proceedings until his decision is obtained.

FINES.

See Dues.

1772. To fine is to exact a money payment as a punishment for an offense or dereliction of any kind. The sum of money so exacted is called a fine. Fines are punishments certain in amount and must necessarily grow from some By-Law fixing the same. The arbitrary imposition by a Lodge of a sum of money as a punishment for some offense where the same is not provided in the By-Laws would not be a fine, but an amercement.

1773. As fines are not dues, but charges against a brother, therefore the Subordinate Constitution provides that in determining the beneficial standing of a member the time and not the amount shall be considered. If all the dues, assessments and charges that have been charged in the preceding thirteen weeks ending with the last meeting, but not including the present meeting, are unpaid, he is non-beneficial at the close of the present meeting.

1774. If a member or an officer is fined by the Noble Grand, or by a resolution of the Lodge, for neglect of duty or a breach of decorum, he is not suspended if he neglects to pay his fine, but is debarred from being installed into an office, taking a card, or performing any act that requires him to be clear of the books of the Lodge. The fine may be deducted from his benefits.

1775. When a Lodge has a By-Law imposing a fine of a specific amount as a punishment for an offense or a neglect of duty, in imposing the penalty for said offense or neglect, the Lodge can neither reduce or increase the amount specified in the By-Laws, but the fine can be remitted.

1776. If the Constitution for Subordinate Lodges does not provide for the fine or punishment of a brother who refuses to watch with the sick, or provide a substitute, the Grand Lodge can approve a By-Law of a subordinate making such provision.

1777. Where the By-Laws of a Lodge provide that "Any member, when notified to attend a sick brother, failing to attend in person or by substitute, shall be fined three dollars, unless excused by a two-thirds vote of the members present," the whole question of the remission of the penalty is in the discretion of the Lodge. It may excuse for sickness of the brother or his family, or for any other reason it may deem sufficient, such as business engagements, etc.

1778. Where a By-Law of a Lodge provides that a member must watch with the sick or pay a fine, a member of the Lodge who resides beyond the territorial jurisdiction of the Lodge and fails to report to the nearest Lodge where he is residing for nurse or watch duty, and have a certificate of such fact sent to his own Lodge, can be assigned to watch with the sick, and failing to do so can be fined.

1779. If an officer or member is justly liable to a fine, the Secretary cannot charge the fine unless the Noble Grand, in open Lodge, or the Lodge, by a resolution, directs the fine to be imposed.

1780. If fined for an offense, after trial upon charges regularly preferred, and the member refuses to pay, it does not affect his good standing, but will affect his beneficial standing, the resolution imposing the fine should be so worded as to set forth that Brother be fined....., to be paid out of the first money paid into the Lodge by the brother, and so on, from time to time, as he makes payment, until the whole fine be paid.

1781. The Junior Past Grand of a Lodge cannot be fined for non-attendance at the weekly meetings of the Lodge; yet it is his duty to attend the meetings.

1782. Subordinate Lodges may, by By-Law, impose a fine upon such of their members living within the territorial jurisdiction of the Lodge as do not attend the funeral of a deceased brother of the Lodge; provided, the funeral shall take place within the territorial jurisdiction of the Lodge, and that such member shall have notice of the time of the funeral.

FINES.

1783. When a By-Law prescribes a fine as a penalty for neglect to attend the funeral of a deceased member, the fact of the deceased being non-beneficial does not excuse.

1784. Fines may be imposed any time after roll-call, if there is no provision in the By-Laws governing the matter; but the better plan would be to impose the fines under new business at the succeeding meeting, in order that brethren might have an opportunity to offer their excuses, as thereby the accounts of the Secretary would not require alteration.

1785. Where a member of the Lodge is out of the State, holding a Visiting Card, his Lodge cannot fine him for not attending a funeral.

1786. A Subordinate Lodge has not the right to enact a law making it obligatory upon the Junior Past Grand of a Lodge to perform the duty of Chaplain of said Lodge, nor if declining to perform said duty is it competent for said Lodge to fine him for non-performance of duty.

1787. Nor can the Lodge require the Junior Past Grand to act as a member of the Relief Committee, and impose a fine on him in case of non-performance of this duty.

1788. Where the penalty imposed by the Lodge is a fine, the Lodge has the right, at any subsequent meeting, to remit the fine.

FIRST WEEKS SICKNESS.

See **Weekly Benefits, Forfeiture, Notice.**

1789. A Lodge, by the general law of the Order, has the right to provide that benefits shall not be paid for the first week's sickness.

1790. By the General Law a Subordinate Lodge may provide by By-Laws that no benefits shall be paid for the first week or two weeks' sickness or disability.

1791. The By-Laws of a Lodge provide that "If a brother dies within less than seven days after being taken sick, the sick benefit shall be added to the funeral benefit." It was held that the intent and purpose of the By-Law was to meet cases of sudden death, and that one week's benefits should be added to the funeral benefit in such cases.

1792. In computing the first week, together with the subsequent duration of his sickness, the day the brother is taken sick and the day he is declared off are both to be counted.

1793. When the By-Law provides that no benefits are to be paid for the first week's sickness, a member in good standing who becomes in arrears during such first week's sickness is not deprived of benefits because of such arrears. It is impossible to get in arrears while sick.

1794. A brother having been sick for a number of weeks, conscious that he was a burden upon his Lodge, desired to be reported off the sick list; after having been at work for three days, he suffered a relapse of his former sickness, and was reported to his Lodge as being sick. The By-Laws of his Lodge provide that no sick benefits shall be paid for the first week's sickness. under these facts the brother was entitled to benefits from the time of the relapse, for the reason that he honestly resumed work, believing that he was fully recovered. Where a brother tries to relieve his Lodge from the burden incident to sickness, and he finds, after an honest effort to resume work, that he is unable to follow his usual vocation, there should be no punishment or penalty imposed.

1795. A brother sick and receiving benefits, thinking he was able to work, did return to work and worked one day, and returned to work the next day, but after a few hours he became worse and had to return to his home, and he continued sick for two weeks longer. The By-Laws of his Lodge provide that sick benefits shall not be paid for the first week's sickness. Held that this was a continuation of the same sickness, and that the brother was entitled to two weeks' sick benefits.

FIRST WEEKS' SICKNESS.

1796. Where a brother is taken sick while suffering under a penalty for non-payment of dues, and according to the By-Laws of his Lodge, benefits are not payable for the first week's sickness, the brother is not entitled to the first week's benefits after the penalty has expired, should the sickness or disability continue beyond that time.

FISCAL YEAR.

1797. The Fiscal Year of the Grand Lodge terminates on the 30th of April. The term Fiscal Year applies only to the financial transactions between the Grand Lodge and its Subordinates, and not to its current expenses, for which appropriations shall have been made for the then current year by the Grand Lodge at its Annual Session. They are closed just prior to the Annual Session.

FLAG.

1798. The flag of the Order shall be of white material, either bunting, satin or cotton cloth, as may be selected by those desiring one. The proportions to be 11-19th of the length for the width. The emblems to consist of three links, to be placed in the centre of the flag, with the letters I. O. O. F., and the name of State District or Territory using it, to be painted or wrought in scarlet color and trimmed with material of same color.

1799. It is intended for use by Subordinate Lodges as well as the Grand Lodge.

1800. The placing of some symbol or flag over the graves of Odd Fellows when decorating on Memorial Day is recommended.

FLOOR WORK.

See Degrees. *See* Degree Staff. *See* Ritual.

1801. The Committee of the Sovereign Grand Lodge appointed to revise, correct and have printed the several plans of floor work presented to the Sovereign Grand Lodge, report "That they have attended to the duty assigned to them," which was adopted.

[NOTE.—The authorized floor work for Subordinate Lodges can be procured from the Grand Secretary at 50 cents per copy.]

1802. A Lodge may procure as many copies of the authorized floor work as it requires, but they should be retained in the custody of the Lodge for the use of its officers; they are not to be sold to, or held by, individual members as personal property.

1803. A Subordinate Lodge may use any form of floor work it prefers; provided, it conforms in all respects to the Ritual; the forms authorized by the Sovereign Grand Lodge are only guides, and are not obligatory. But if a Lodge uses any other form than that provided by the Sovereign Grand Lodge, it is not proper to print and publish the same, as it must, of necessity, contain reference to the Ritual and ceremonies of the Order, which can only be printed or published by authority of the Sovereign Grand Lodge.

FORMS.

1804. Except where specially stated otherwise, the forms given in this Digest are not obligatory, but are presented, as has been in previous editions of the Digest for the guidance of Lodges, officers, members and committees. The form is not imperative so that the substance is clearly set forth.

1805. Grand or Subordinate Bodies, or individuals, who shall print and circulate any forms or ceremonies of the Sovereign Grand Lodge that constitute a source of revenue to its treasury will be deemed guilty of an offense against the law of the Sovereign Grand Lodge of the I. O. O. F.

FORMS.

1806. All the "forms," whether of chart, certificate, diploma or kindred forms, published by the Sovereign Grand Lodge are exclusively the property of said body, designed by it and necessary to its welfare and prosperity.

FORFEITURE.

(a). Of Office. (b). Of Benefits.

(a). Of Office.

1807. A Lodge cannot, for non-attendance, displace an officer during the term for which he was elected, in the absence of a By-Law on the subject permitting the forfeiture to be made.

1808. Absence of an officer from the regular stated meetings of the Lodge, for at least four consecutive nights, may work a vacation of that office, if the By-Laws so provide.

1809. When a Lodge has a By-Law declaring a chair may be vacated if the incumbent absents himself for at least four consecutive meetings, before action can be taken under the law the officer shall be notified, that he may show cause why his seat shall not be vacated.

1810. The power to declare an office vacant, when an installing officer has failed to attend and discharge the duties of his office, is left to the control of the State jurisdiction.

1811. In the absence of By-Laws, the only remedy is with the installing officer. The rule in this jurisdiction has been to request the District Deputy Grand Master to appear on a certain night to install the delinquent officer, and at the same time notify him of the coming of the installing officer. When the time arrives, and the officer elect does not appear, the installing officer declares the office vacant and holds a new election to fill the vacancy.

1812. The suspension for cause of a brother who is also an officer of his Subordinate Lodge, even though but for three months, vacates his office, and the Lodge may fill such vacancy.

1813. A Noble Grand who becomes in arrears for dues cannot hold the office, but he can become qualified by paying up his dues before any action is had or taken in his case.

1814. An officer is not suspended from the performance of his duties during the pendency of charges against him, except in so far as these charges may have relation to the duties of his position, such as the appointment of the whole or part of the committee to try them, or any action on the report.

(b). Of Benefits.

1815. Benefits may be forfeited to the Lodge by the By-Laws fixing this as a penalty, for want of length of membership, or for want of continuance of sickness, or for delay in paying arrears; or the forfeiture of benefits may have resulted from the suspension of the sick brother for cause, or by the act of the sick brother in failing to give the notice of his sickness, as required by the By-Laws; for example, a brother taken sick before he has been a member six months under a By-Law requiring six months membership before becoming entitled to benefits, is only entitled to receive benefits if the sickness continues, as soon and from the time the six months expire; or a Lodge may legally provide that it will pay no benefits for the first week's sickness, and if the By-Laws so provide, the forfeiture may be made cumulative.

1816. A member who is not entitled to benefits for a certain period, if taken sick during that period, and continuing so after its expiration, is entitled to benefits after the period has expired.

FRACTIONS OF A WEEK.

1817. In the absence of a positive local legislation for the payment of benefits for the fractional part of a week, benefits can only be paid for the full week.

1818. Subordinates have a right to provide against paying benefits for a fractional part of a week, and such is the general usage of the Order.

1819. Twelve working days cannot make two weeks under our laws, but those laws do not recognize parts of days in cases of benefits; therefore if a brother be taken sick on the twelfth, and reported well on the twenty-fifth, he is sick two weeks. Both days are to be counted.

1820. It is not lawful for a Lodge to charge against a deceased brother's account the fraction of a week's dues that have accumulated since the last meeting of the Lodge to the day of his death, in order to deprive his beneficiaries of the funeral benefits.

FRAUD.

(a). Definition.
(b). Admission to Membership by.
(c). In Obtaining Benefits or Relief.

(a). Definition.

1821. Fraud is defined to be an act or course of deception, deliberately practiced with the view of gaining a wrong or unfair advantage.

1822. An artifice by which the right or interests of the Lodge are injured.

1823. An artifice employed by one or more persons for the purpose of deceiving the Lodge, or a member, to the prejudice of its or his rights.

(b). Admission to Membership by.

1824. It is now settled law that mere irregularities without fraud do not vitiate an admission, and that an illegal admission by card is void.

1825. A member of a Lodge removed from his jurisdiction and took a Withdrawal Card, which he suffered to expire without depositing it. After this, and while he remained a permanent resident of the jurisdiction to which he had removed, he applied to his old Lodge for admission as an Ancient Odd Fellow, and was admitted to membership without consent of the jurisdiction of which he was a resident. In this case the applicant knew, or was bound to know, what the law was, and that his membership was illegal. The Lodge also knew, or was bound to know, what the law was, and his membership being illegal, he was not protected, and his status was that of an Ancient Odd Fellow.

1826. After the initiation of a candidate who was illegally or fraudulenty elected, if he has been guilty of fraud his initiation cannot be declared void, as it might be construed as releasing him from his obligation, which, perhaps, would also be considered void, if the whole initiation was, but in such case he can be expelled therefor, after proper trial.

1827. If a person has acquired membership through fraud or misrepresentation, his initiation cannot be declared void, but he must be expelled therefor, after proper trial.

1828. A candidate represents himself as twenty-one years of age when he is not. His Lodge tried and reprimanded him and suspended him for six months. The Lodge might lawfully do this, as it was not compelled to expel him.

1829. Persons who from no fault of their own are illegally initiated cannot be discharged from membership for that reason, but are entitled to all the rights enjoyed by other members of similar rank, and the same rule

governs the case of an unworthy person who may have been inadvertently admitted.

1830. A saloon-keeper joining the Order and concealing the nature of his business from the Lodge at the time of his initiation or admission thereto, upon conviction thereof and continuing in the business, must be expelled.

1831. Where the holder of a Dismissal Certificate who has been a saloon-keeper continuously from a period prior to the enactment of the amendment to the Constitution of the Sovereign Grand Lodge, applies for membership and conceals the nature of his business from the Lodge, and is admitted, he is liable under the amendment, and the penalty, upon conviction, would be expulsion.

1832. An applicant who is a suspended member, and as such was in the saloon business prior to 1895, commits an offense against the laws of the Order if he makes a false statement about his occupation in presenting his application for renewal of membership.

1833. The refusal of a brother to pay a debt due another member of his Lodge, does not constitute sufficient grounds for preferring charges against him, when the debt is barred by the State statute of limitations. Unless there appear some element of fraud or misrepresentation in obtaining the credit, or unless the loan was made upon the faith of membership in the Order, charges will not lie.

(c). In Obtaining Benefits or Relief.

1834. Any fraudulent misrepresentation of his age by a party seeking admission into either branch of the Order, whereby membership therein is illegally obtained for a less consideration than the law of the Lodge requires, shall discharge the Lodge from any and all responsibilities growing out of the initiation of the party in question, from and after the time such fraud shall be discovered and proved, or determined upon a fair investigation and upon competent testimony.

1835. It shall be legal to investigate and determine the fact of such fraud, even after the death of the party alleged to be guilty thereof; provided due notice of such investigation is given to the representatives or family of the deceased claiming benefits of the Lodge.

1836. A brother was taken sick from a disease he contracted in the army before he became a member. He stated at the time of his admission that he was not suffering from any disease. An affidavit, upon which he procured a pension from the United States Government was produced, in which he testified that the disease was contracted in the army during the war. This affidavit was sufficient to show that he knew at the time he was admitted that he was suffering from such disease, and benefits were denied him.

1837. When, however, it is found as a fact that the claimant honestly thought he was in sound health when he applied for admission, and he testified "that he considered his health at the time as good as ever in his life," he is entitled to benefits.

1838. Where the claimant was, at the time of his admission, suffering from a physical disability which did not impair his ability to follow his usual avocation, and did not affect his health of body, failure to state this disability is no fraud upon the Order, and does not prevent his admission or bar his subsequent claim for benefits.

1839. A brother who acquires the Semi-Annual Pass Word improperly, and by making use of said pass word obtains relief from a Lodge of which he is not a member, is guilty of a double fraud upon the Order, and should be required to refund the amount received to the Lodge from which he received it, and be punished by his own Lodge for the offense.

FRAUD—In Obtaining Benefits or Relief.

1840. It would not be proper to hold a Lodge responsible for funds obtained under fraudulent circumstances, where it is innocent of any connivance at it.

1841. The Constitution of a Subordinate Lodge provides that "A member who shall obtain credit expressly by reason of being an Odd Fellow, and shall violate the items of such credit, shall be guilty of an offense against the laws of the Order." Held in such case that to render a member of a Lodge amenable for an offense against the laws of the Order, he must have used the fact of his membership in some way for purposes of fraud or imposition.

FUNDS.

See Appropriations.
Special Five Per Cent. Fund.
Contingent Fund.
Trustees.

See Investments.
Defunct Lodge Fund.
Aged Odd Fellow's Fund.

1842. The funds and property collected under and by authority of a charter duly granted to a Lodge are trust funds, and can be applied only to the objects for which they were collected. No division or diversion of the funds or property, or other disposition of it, except for the legitimate objects of the Order, can be recognized by the Grand Lodge. When a Lodge shall fail, from any cause, to continue as a working body, and yields up its charter, the money and property of whatever kind of which it may be possessed and belonging thereto, must be surrendered up and paid over to the Grand Lodge. Therefore it is absolutely essential that the Lodges from time to time, in their Annual Report to the Grand Lodge, shall furnish an entirely accurate and complete statement of their assets.

1843. The primary object, without which no Lodge of Odd Fellows can exist, is mutual aid and fraternity; a system of dues and a treasury for the security of the former, are necessary adjuncts of our system; all other pecuniary benefits are simply incidents which naturally flow from the duty of mutual aid; therefore, the whole of the assets and property of Lodges are trust funds, equally to be protected and of equal sacredness.

1844. Funds held by the Lodge in special trust cannot be merged into the general fund and thus diverted from the purpose for which the trust was created.

1845. When, from any cause, any separate fund of a Subordinate Lodge shall be found unnecessary, it shall be lawful to otherwise appropriate such fund or to merge it, in whole or in part, in the general fund. Provided, that the object contemplated by such special fund be otherwise fully protected and secured. And provided further, that provision be fully made to return any donation made to the said special fund which may be demanded by the donor who may insist upon its being donated to the object for which it was donated. Provided further, that no such appropriation shall be made unless the same shall first be authorized by the Grand Lodge to which such subordinate may be attached.

1846. The funds and property of defunct Lodges may, at the option of the body holding the same, be used for the purpose of assisting working Lodges, when in need of funds, to sustain them in their organization; or they may be applied for the assistance of the widows and orphans of such defunct bodies or to the Aged Odd Fellows' Fund which may exist in such Grand Jurisdiction. Provided, that where a fund is held on a specific trust, and such subordinate becomes defunct, the Grand Body shall see that such trust is duly executed and the trust fund applied to the purpose for which the fund was created.

1847. The funds of a Lodge are not held in common, but collectively, as trustees, for the uses and purposes of the Order's beneficial system, as applicable to the particular Lodge, and no individual member thereof has a

FUNDS.

right, as a mere member to receive a share therein. The funds are not subject to an equal partition. Until a member is sick, he has no claim thereon.

1848. Whenever a number of members desire to withdraw from a Lodge, they must do so without the expectation of sharing a fund raised for and devoted to a sacred purpose. Members about to withdraw from one Lodge for the purpose of establishing another, have neither the moral nor legal right to combine together for the purpose of extorting, either by ordinary motion or special By-Laws, an appropriation of the funds of the Lodge in their own favor. Donations made to assist petitioning brothers by the parent or other Lodges, for the purpose of instituting new Lodges are allowable, and are in no sense to be regarded as a division of the funds of the Lodge. In the consideration of such action by the parent Lodge, it is recommended that the Grand Officers be consulted as to its propriety.

1849. There is no law to prohibit a Lodge from appropriating a portion of its widows' and orphans' funds for the purchase or erection of a home for its widows and orphans, but the general law does forbid the use of the widow and orphans' fund to be appropriated to the relief of Aged and infirm members of the Order.

1850. All investments of Lodge funds must be made in the name of the Trustees, in trust for the Lodge, and said Trustees can only invest said funds or change said investments when authorized so to do by the Lodge, and all evidences of investments, as aforesaid, must be deposited with the Treasurer of the Lodge.

1851. Funds derived from rents or the income of investments having been placed in the general funds of the Lodge cannot be donated or used, except for the legitimate expenditures of the Order.

1852. It is lawful for a Subordinate Lodge to donate its funds for any purpose within the object and scope of the Order.

1853. The reversionary interests the Grand Lodge holds in the funds of its subordinates gives it a right to limit their expenses to purposes within the Order.

1854. It is illegal to take from the treasury of a Lodge the expenses of a supper (or banquet) given on the night of installation of its officers, or at any other time.

1855. Lodge funds are not to be expended for a collation and ball, even upon the celebration of the anniversary of the Order.

1856. A Lodge cannot lawfully use its funds to pay the expenses of an oyster supper given to its members and others.

1857. A Lodge cannot appropriate funds from its treasury for the purpose of offering a reward for the apprehension of a ruffian who assaulted one of its members.

1858. The funds in the hands of Treasurers of Lodges contributed for the relief of widows and orphans of deceased members, cannot be loaned to Lodges to enable them to meet other demands.

1859. A Lodge loaning its funds to the wife of a member on a mortgage in which the husband was compelled to join, is violating the Constitution for Subordinate Lodges, as the bond is the evidence of the debt, and being given by the husband, is in controvention of the rules laid down by the Grand Lodge. The prohibition against lending money to a member of a Lodge applies with equal force to a wife of a member, for not only is a man and his wife one in the law, but even under the enabling act they are not so far separated in law as to make her obligation a proper security for Lodge funds, or remove her from the objections that exist as to the acceptance of her husband's obligations.

1860. A brother wanted his Lodge to let his wife have money to buy

FUNDS.

her a home, and he is to pay it in installments. The Lodge has no right to loan her money while he is living, expecting to make the payment.

1861. A Lodge loaned $200 to a number of its members to aid in starting an Encampment. The Grand Lodge decided against the legality of the proceeding, adding: "The law is explicit and has provided for no exceptions."

1862. It is illegal to take the funds of a Lodge to pay for lectures not having for their objects the instruction of the public or the members on the subject of Odd Fellowship.

1863. In jurisdictions where the Grand Lodge may decide to establish, maintain and support homes for the dependent widows or the maintenance and education of the orphans of deceased Odd Fellows, such Grand Lodge may permit the Subordinate Lodges in its jurisdiction, under reasonable and proper restrictions, to donate or loan a portion of their widows' and orphans' fund, or a portion of their Lodge funds, to said home; provided, that where Grand Jurisdictions grant the privilege herein named to their Subordinate Lodges, that the proposition in any such Subordinate Lodge shall lie over one week before final action.

1864. A Lodge cannot lawfully loan its funds to a church, the trustees of which are all Odd Fellows. The law against loaning funds to members was made, in part, to save the scandal of forcing by civil law, payment by a brother of a debt. How much greater the scandal before the eyes of a Christian community, should a Lodge, if compelled by circumstances, bring suit against a church to recover a claim. The funds cannot legally be so loaned.

1865. A Lodge stands in the same relation to another Lodge as to a member of a Lodge, and as a Lodge cannot lend its funds to a member; it therefore would not be proper to lend its funds to another Lodge.

1866. Where a Lodge initiates a candidate against whom it holds a bond and mortgage, he immediately, upon admission, comes within the terms of the law prohibiting loans to members, and it should be the duty of the Lodge at the earliest practical moment to recall the loan.

1867. It is the duty of Lodges which have loaned funds to members of the Order at a time when such loans were allowed, to call in the loan as soon as practicable, to the end that the funds may be reinvested, as is now permitted by law.

1868. A Lodge cannot loan money to a suspended member, for the reason that a suspended member is still a member of the Order, although deprived of certain rights and privileges, he is eligible for reinstatement at any time upon proper application.

1869. A Lodge cannot loan its funds to a member of another Lodge. The prohibition of loans to members is applicable in such cases.

1870. The Grand Lodge has declared and spread upon its Journal the fact that Lodge funds cannot be loaned either to members in good standing, nor to suspended members, and that Odd Fellows cannot become security for money loaned from the treasury of a Lodge.

1871. Funds derived from sources other than the members' dues, like rents, interest and income or investments, having been placed in the general fund of the Lodge cannot be used or donated, except for the legitimate expenditures of the Order.

1872. Trust funds vested in the Lodge, as trustee for a special purpose, such, for example, as a widows' and orphans' fund, cannot be merged into the general fund, as they have been donated for a special purpose and cannot be diverted from the purpose for which they were created.

1873. Nor can the Grand Lodge authorize this to be done, unless this jurisdiction maintains an Odd Fellows' Home. Thereupon the Grand Lodge

is authorized to empower the Subordinate Lodges to merge the widows' and orphans' fund with the general funds of such Lodge.

FUNERALS.

1874. In all cases funeral ceremonies shall be conducted by the Subordinate Lodge of which the deceased was a member, except that in conducting the funeral ceremony of a deceased brother who was a member in good standing of both Subordinate Lodge and a Subordinate Encampment, the Lodge shall take precedence over the Encampment (except where the deceased was a Grand Officer, etc.) unless by the previously expressed desire of the deceased, his widow or near relatives, the Encampment shall be designated to take charge of his remains for burial, when the Encampment shall take precedence.

1875. Where a Patriarchal member of the Order dies suddenly, without expressing his preference for burial by either his Encampment or Lodge, and where both bodies desire to officiate at the funeral, the matter shall be determined by the expressed wish of the widow (should there be one), or nearest relative.

1876. If a brother was a past or present elective officer of a Grand Lodge or Encampment, then the ceremonies may be conducted by such Grand Lodge or Grand Encampment.

1877. The several Grand jurisdictions have the right to determine whether the dead can be buried by a committee of the Lodge or by the whole Lodge.

1878. Officers and members of a Lodge, whose duty it is made by the laws to attend the funeral of a deceased brother, may be fined for neglect of that duty, if the By-Laws so provide.

1879. Where a member of a Lodge is out of the State holding a Traveling Card, his Lodge cannot fine him for not attending a funeral.

1880. There is no law requiring a Noble Grand to open and close his Lodge in regular form when called to meet at the Lodge room to attend the funeral of a brother; he may do so or not.

1881. The propriety of extending funeral honors to a brother in arrears, but against whom no charges for unworthy conduct were pending at the time of his death, is a matter for local regulation, upon which subject there has been no legislation in this jurisdiction.

1882. A Lodge cannot in a body, as a Lodge, attend the funeral of a deceased "Ancient Odd Fellow" and conduct the services according to the Ritual of the Order.

1883. A Lodge cannot perform the funeral services of our Order over the body of one who is not a member of it.

1884. It is not lawful for the brethren of a Subordinate Lodge to wear their funeral badges and turn out at the funeral of a brother's wife, whether such deceased be a member of the Rebekah Branch or not.

1885. By the general law funeral honors may not be extended to a deceased brother who has been lawfully suspended from membership. For example, where a former member of a Lodge, and a Past Grand Master of the Order, was recently suspended for non-payment of dues. Since his suspension he died in China, where he was a United States Consul in the city of Singapore. The government returned his remains for interment, and the Odd Fellows of the State decided to bury the remains of their late brother according to the rites and ceremonies of Odd Fellowship. It was held that a brother who stands suspended for non-payment of dues cannot lawfully be buried with the honors of the Order, although no expense be incurred by the Order. If the proceedings were in every particular regular at the time of the brother's suspension, the Lodge cannot extend the funeral honors.

FUNERALS.

1886. A By-Law compelling a member to attend the funeral of a member who dies of a contagious disease, such as smallpox, is null and void.

1887. At the Funeral of a Lodge member, who has not attained the Patriarchal Degree, each member is entitled to wear the regalia of the highest rank he attained in the Lodge; the regular regalia as prescribed for the Encampment Branch, other than the usual rosette, has not been authorized by the Sovereign Grand Lodge to be used on such occasion.

1888. The regalia to be worn by all brothers of the Order when attending the funeral of a deceased brother shall be as follows:

1st. A black crepe rosette, having a centre of the color of the highest degree to which the wearer may have attained, to be worn on the left breast; above it a sprig of evergreen, and below it (if the wearer be an elective or past officer) the jewel or jewels which, as such, he may be entitled to wear.

2d. The ordinary mourning badge to be worn by brothers in memory of a deceased brother shall be a strip of black crepe, passed through one button hole, only, of the left lapel of the coat and tied with a narrow ribbon of the color of the highest degree to which the wearer may have attained.

1889. The Grand Lodge, may, at its discretion, permit the usual regalia of the Order to be worn at funerals, either in connection with or as a substitute for the simple regalia above described.

On such occasions the Marshall shall wear a black scarf, and bear a baton bound with black crepe.

The Outside Guardian shall bear a red wand bound with black crepe.

The Scene Supporters shall bear white wands, bound with black crepe.

The Inside Guardian shall bear the regalia and insignia indicating the rank in the Order of the deceased brother.

The Supporters of the Vice Grand shall bear the wands of office, bound with black crepe.

The Chaplain shall wear a white scarf.

The Warden shall bear the axe, bound with black crepe.

The Conductor shall bear his wand of office, bound with black crepe, and the Supporters of the Noble Grand shall each bear their wands of office, bound with black crepe.

1890. There has been considerable confusion in the matter of wearing regalias of the Order at funerals in the various jurisdictions under the control of the Sovereign Grand Lodge, and in consequence thereof there has repeatedly come to the Sovereign Grand Lodge appeals and questions growing out of the said matter. In 1877 a funeral ceremony, which provided a form of regalia, was adopted by the Sovereign Grand Lodge. In connection with this ceremony the right was given to State Grand Encampments and Grand Lodges, at their discretion, to permit the regalia of the Order to be worn at funerals in connection with, or, as the substitute for the funeral regalia provided for in the ceremony adopted at that session. In 1885 a decision was made that notwithstanding the provision in the ceremony of 1877 as to regalias to be worn, should be that prescribed by that ceremony, that Grand Masters had the authority to grant dispensations to Lodges at funerals, and that State Grand Lodges and Grand Encampments could not abridge that prerogative. This decision evidently has not been thoroughly understood, and as a consequence some confusion has existed among the Grand Jurisdictions with reference to the question or right to the wearing of the regalia of the Order at funerals. In the funeral ceremony adopted in 1903 it is provided: "Emblems of mourning worn by members of the Lodge shall be uniform, and may be either a band of crepe on the left arm or a black badge on the left breast." No other provision is made for regalias or emblems of mourning in the funeral ceremony of 1903. The provision with reference to regalias provided for in 1877 is carried into the procedure at funerals printed by the Grand Secretary. There now seems to be no obligation in this Order, so far as the Sovereign Grand Lodge has prescribed, to use any particular form of regalia at funeral ceremonies. Different forms

and kinds of regalia are in use in different jurisdictions at funerals under the Sovereign Grand Lodge. There is no objection to the wearing of the usual regalia of the Order at the funeral ceremony of brethren of the Order in jurisdictions where that is desired. That there be no further misunderstanding on the subject, the Sovereign Grand Lodge adopted the law which appears in the following section:

1891. Subordinate Lodges and Encampments and Rebekah Lodges may wear the regalia of the Order at the funeral of a member of the Order without applying for a dispensation, except where the different Grand Bodies and Jurisdictions have otherwise, or may hereafter prescribe.

1892. No other than the prescribed regalia for funeral purposes can be adopted or worn.

1893. Members in attendance at the burial of deceased brothers of the Order may wear their hats, if the inclemency of the weather or heat be such as to endanger health.

1894. A Lodge cannot impose a penalty upon members for not wearing black suits of clothes at a funeral of a deceased brother; but a Marshal may exclude from a funeral procession a member who does not comply with the regulations of the Lodge respecting uniformity of dress at funerals or public displays.

1895. The form of funeral ceremony adopted in 1903 by the Sovereign Grand Lodge as "up to date, uniform and impressive," must be used exclusively. All the old forms are obsolete and prohibited.

1896. It is unlawful for a Subordinate Lodge to print the funeral ceremony, even for its own convenience, and not for sale.

1897. The burial ceremony is not sectarian in any particular, but is in full accord with the non-sectarian rules and principles of the Order, and does not need to be amended in any way.

1898. It is not lawful for a Lodge to appropriate money from its general funds for music at the funeral of a member.

1899. A Lodge has not the right to appropriate its funds to pay railroad fare and carriage hire of its members to attend the funeral of a member who died and was buried several miles from the Lodge room.

1900. General funds cannot be appropriated to pay railroad fare and carriage hire at funeral of a brother.

1901. But these expenditures may be paid out of the special five per cent contingent fund authorized by law.

FUNERAL BENEFITS.

(a). Funeral Benefits.
(b). Funeral Expenses.
(c). Funeral Benefit for Wife.

See Renouncing the Order.
Benefits, Fraud.
Intemperance.
Benefits, Weekly.
Immoral Conduct.

(a). Funeral Benefits.

1902. The great object of a funeral benefit in the Order is to extend immediate aid to the family of a deceased brother at the time and under circumstances which, more than at any other time or condition of things, require support and sympathy. The right of property to the funeral benefits is in the family of the deceased, and not in the brother. It does not begin to exist until after his death, and therefore no disposition of such benefits can be made by him in his lifetime.

FUNERAL BENEFITS—Funeral Benefits.

1903. As a general rule it may be stated, there can be no right to funeral benefits in any case where the brother who claims the benefits or upon whose death the benefit is claimed, was not entitled to weekly benefits. But there are cases where, owing to the condition of the accounts between the deceased brother and the Lodge, a funeral benefit will be paid, although the same state of facts would not have made the brother beneficial for weekly benefits, and there are certain cases of immoral conduct which may be inquired into after the brother's decease, and which, if proven, will bar the claim for funeral benefits.

1904. Should a brother who has lost his right to weekly benefits by non-payment of dues, die whilst thus circumstanced, neither his widow nor his family will be entitled to funeral benefits, unless the final settlement of accounts between the Lodge and the brother show that if the Lodge had paid him the moneys due him for salary, or for benefits, or for some other debt, there would have been sufficient, if applied to the arrears, to have liquidated them, then the widow would be entitled to funeral benefits.

1905. A Lodge is not responsible for the funeral expenses of a member who dies while in arrears for dues, or who dies while laboring under a penalty for non-payment of dues.

1906. In this jurisdiction there can be no just claim for funeral benefits in a case where the brother was not entitled to weekly benefits.

1907. A Lodge cannot lawfully adopt a By-Law which will pay a funeral benefit upon the death of a member not entitled to weekly benefits.

1908. Any fraudulent misrepresentation of his age by a party seeking admission into either branch of this Order, whereby membership therein is illegally obtained for a less consideration than the law of the Lodge requires, shall discharge the Lodge from any and all responsibilities growing out of the initiation of the party in question, from and after the time such fraud shall be discovered and proved, or determined, upon a fair investigation and upon competent testimony. It shall be legal to investigate and determine the fact of such a fraud, even after the death of the party alleged to be guilty thereof; provided, due notice of such investigation is given to the representatives or family of the deceased claiming benefits of the Lodge.

1909. Even after the death of a brother it is proper to inquire whether his sickness was the result of his own immoral conduct, when his Lodge, during his lifetime, had no notice or knowledge of his conduct, or in case of secret disease.

1910. When a brother has resided away from the neighborhood of his Lodge the prima facie presumption is that the Lodge had no knowledge of his improper conduct.

1911. Where either the immoral conduct or the false representation, as the case may be, were known to the Lodge during the lifetime of the deceased brother, and the Lodge permits his membership to continue uninterruptedly until after death ensued without charges, the Lodge is bound to pay the funeral benefits.

1912. When a Lodge has a By-Law which suspends a member from benefits who has been in arrears for a given time after he has paid up in full, any member suffering under the operation of this law is lying under a disability, by reason of non-payment of dues, which would preclude him from receiving funeral benefits upon the death of his wife during this time.

1913. If a brother while in arrears, so as to deprive him of benefits, is taken sick, and he then pays up his dues and dies from that sickness, his widow is not entitled to funeral benefits.

1914. A member committing suicide, his family are not thereby debarred from funeral benefits.

FUNERAL BENEFITS—Funeral Benefits.

1915. A Lodge cannot provide in its By-Laws for the payment of benefits to the widows of deceased members when sick, or for funeral benefits upon their decease. The duty of relieving the widows and orphans of deceased members is of a charitable character; here the higher, nobler principles of the Order are invoked, and the Lodge is called upon to relieve them according to their several necessities.

1916. In case of the death of the wife of a member in good standing and entitled to weekly benefits, the Lodge may, by its By-Laws, provide for the payment of such fixed sum for funeral benefits as may be deemed advisable.

1917. In no case are the funeral benefits to be liable for debts contracted by the deceased; they accrue only after his death. The funeral benefits of the wife of a member in good standing must be paid to the member; and where a brother is an inmate of the Odd Fellows' Home of Pennsylvania, and his wife dies the funeral benefits for the wife are payable to the brother.

1918. It is the policy of our laws to assist a brother in life, and to aid and protect his family, if he has one, after his death; it is not the object or our organization to render aid to others besides the immediate family of the deceased brother. If he has no immediate family, widow, child, or other immediate relative, who was before his death dependent upon him for support, or upon whom he was dependent, then he has left no one who has a legitimate claim upon the Order. If he leaves a father, mother, brother, sister or other indigent relative who is a member of another family, and was not in the lifetime of the deceased dependent upon him, such indigent relative has no lawful claim on the Lodge of the deceased, not having been a member of his family. If it be claimed that they are such dependent relatives, there should be some proof of the fact. The only persons who are the beneficiaries of the funeral benefit are the widow, orphans, under the age of twenty-one years, relatives upon whom he was dependent at the time of his death, or dependent relatives who were members of the family of the deceased, and who were dependent upon the deceased at the time of his death.

1919. A brother died in a hospital. He left a will appointing an executrix. His only living relative being a niece; said niece is married, and was not dependent upon the brother; the funeral expenses were paid with money found on the person of the brother after his death. The brother was not dependent on the niece for support. Held that the niece is not considered a dependent relative in this case; that it is not lawful to pay the funeral benefit to the executrix of the estate, and that the Lodge can retain the funeral benefit.

1920. As to legal representatives of a deceased brother, this Order does not recognize them as having any claim upon the funeral benefit due to a member. By the term legal representative is meant personal representative—that is, the executor or administrator of the person deceased. It is a part of the function of the personal representative of a deceased person to pay the debts of the deceased; but it is no part of the design of our Order to pay such debts; that which Odd Fellowship bestows is for the comfort of a brother and his family and to relieve and administer to their personal and present needs. If we pay the personal representative, he must use the money as he does the other funds of the estate. He will have no right to withhold it from the creditors and devote it to the family.

1921. Where a brother leaves no family or dependents, but only relations in France in comfortable circumstances, his administrator is not entitled to funeral benefits.

1922. If he have a father, mother, brother, sister or other indigent relative, who is a member of another family, and was not in the lifetime of the deceased dependent upon him, such indigent relative has no lawful claim on the Lodge.

FUNERAL BENEFITS—Funeral Benefits.

1923. Where a brother dies, leaving no widow, but minor children, funeral benefits are payable to the guardian, if there be any of the children, and not to the administrator of the decedent's estate.

1924. In the event of the death of a member in good standing not possessing any legal beneficiaries of a funeral benefit, and leaving no estate, or insufficient assets to pay the expenses of a funeral, the Lodge shall pay the bill of the undertaker and other necessary expenses to an amount not exceeding, in the aggregate, the funeral benefits.

1925. A married daughter having a husband and family, with whom the deceased did not live, and who was in no wise dependent upon him, nor he upon her, is not entitled to funeral benefits; nor is a married daughter with whom the deceased was living and paying board to the husband, though she gave him attention and nursing, he being neither dependent upon her, nor she upon him, entitled to funeral benefits, or te the funeral benefits unexpended by the Lodge.

1926. Our law does not recognize collateral relatives at all, unless they were members of the family of the deceased at the time of his death, and dependent on him for support. The right of property in the funeral benefits is in the family of the deceased, and not in the brother. It does not begin to exist until after his death, and if there are no dependent relatives, no benefits are to be paid. The law of the Order does not, in such a case, cast the estate anywhere, because there is no estate to cast, therefore no disposition of such benefit can be made by the brother in his lifetime.

1927. In case of the death of a brother entitled to benefits, leaving no family or dependent relatives and no other provision was made by law for their payment, the Lodge is not bound to pay the money to any person.

1928. A Lodge is required to pay the funeral benefit of all deceased members in good standing and entitled to benefits, although funeral expenses may not have been incurred.

1929. A Lodge must pay the funeral benefits of an initiatory member, who was initiated prior to July 1, 1882, if he dies in good standing.

1930. A Lodge holding the promissory note of a deceased brother cannot appropriate the funeral benefits in liquidation of the note.

1931. The Constitution provides that "a funeral benefit of not less than thirty dollars, as the By-Laws shall specify, shall be paid," etc. If the By-Laws prescribe a sum beyond thirty dollars, and the brother, at the time of his death, was indebted to the Lodge for dues, the arrearages may be lawfully deducted from the funeral benefit.

1932. A Trial Committee had resolved to report an accused brother guilty of contempt for not appearing at the trial, but before they were able to do so the brother suddenly died of heart disease. He was entitled to be buried with funeral honors, and his widow was entitled to the benefits provided by the By-Laws.

1933. Where a brother was under charges but died before the time of his trial, it was decided that the deceased, if not in arrears for dues, or suffering other disability than that cited, preserved and left to those noted under our laws the right to receive funeral benefits on his decease. He was presumably innocent until proven guilty, and was entitled to a trial before such conclusion of guilt could be reached. Dying before trial could be had, the charges drop—for we cannot try the dead other than morally. The Lodge was therefore directed to pay the funeral benefits due upon the decease of the brother to whoever is entitled to them.

1934. A brother suddenly and mysteriously disappeared, and about a year thereafter was suspended in his Lodge for non-payment of dues. Held that the mere fact of disappearance for seven years, without being heard from, would raise the presumption of death at the end of that time, hence the suspension for Non-Payment of dues was legal and no funeral benefits would be payable.

FUNERAL BENEFITS—Funeral Benefits.

1935. Facts and circumstances may, however, exist from which a court and jury would have the right to infer that death occurred at an earlier period. In case he was in good health, his habits were good, he was industrious, his family relations were of the most pleasant character, his wife and children were fond of him, and he of them, his circumstances were easy, and all his surroundings were agreeable and pleasant, then his death, presumptively, occurred at the time of his disappearance.

1936. A Lodge by agreement cannot lawfully make donations to members, the same to be made credit against funeral benefits when due. In no case can funeral benefits be liable for debts contracted by the deceased. They do not become operative until after death.

1937. On a claim for funeral benefits which the Lodge refused to pay, alleging that the deceased brother misrepresented his age at the time of his initiation, the action of the Lodge was sustained for the reason that the evidence shows that the brother misrepresented his age at the time of his initiation, which was only discovered after his decease.

(b). Funeral Expenses.

1938. The By-Laws of a Lodge provide that in case of the death of a brother entitled to benefits, the sum of seventy-five dollars shall be allowed for funeral expenses, and in the absence of a competent relative the Noble Grand shall take charge of the funeral. The Lodge refused to pay on the ground that there were no dependent heirs, and that the funeral bills could not be lawfully paid because the body was not taken charge of and buried by the Lodge. Held that the expenses of the funeral must be paid.

1939. The By-Laws of a Lodge provided that on the death of a brother seventy-five dollars shall be allowed for funeral expenses. A brother having been buried and expenses incurred; held that his family was entitled to the amount for funeral expenses, and that it was not "material that the Lodge should have authorized the expenditure of all or any part of the funeral expenses, or as a Lodge attended his funeral."

1940. A brother having died, leaving no dependent relative, the Lodge pays the funeral expenses; any excess may lawfully be used in erecting a tombstone to his memory. The term funeral expenses means in our law decent interment, which includes the proper marking or distinguishment of his grave.

1941. A brother while in a state of frenzy shot himself and his wife. They were both found dead. There were no children or dependent relatives, but nevertheless there were several claims for funeral benefits. The Grand Master decided that if both were found dead and there were no witnesses to their decease, the law will presume that the woman died first, and both funeral benefits will be payable by the Lodge. If it is known as a fact that the brother died first, then no funeral benefits will become due for the death of the wife, for at that moment she ceased to be his wife and became his widow, and likewise at that moment he ceased to be a beneficial member of the Lodge. If the Lodge does not desire the Noble Grand to attend the burial, the benefits may be applied to the payment of the funeral expenses. The Grand Lodge decided that this state of facts is not to be understood as authorizing the payment of funeral benefits, but they are sufficient to warrant the Lodge in paying the funeral expense, if it desires to do so.

1942. When there is no dependent relative the balance, if any, after paying the funeral expenses, should be retained by the Lodge.

1943. A bill for labor performed in serving refreshments and for refreshments served at the time of the funeral is not a legitimate funeral expense.

FUNERAL BENEFITS.

(c). Funeral Benefit on Death of Wife.

1944. In the absence of a Constitutional provision, a Subordinate Lodge has the right to make a By-Law providing for the payment of a funeral benefit to a brother at the death of his wife, and a Grand Lodge has the right to provide, in its Constitution for Subordinate Lodges, that Subordinate Lodges may adopt By-Laws providing for the payment of a funeral benefit to a brother at the death of his wife.

1945. When a Lodge has a By-Law which suspends a member from benefits who has been in arrears for a given time after he has paid up in full, any member suffering under the operation of this law is lying under a disability, by reason of non-payment of dues, which would preclude him from receiving funeral benefits upon the death of his wife during his time.

1946. In the case of a claim for funeral benefits due a brother upon the death of his wife which the Lodge declined to pay for the reason that the brother prior to his wife's death, having become indebted to the Lodge for over three months' dues, paid part of the indebtedness, but never the whole amount in full. The appeal was dismissed and the Lodge sustained in its action, as the brother has been in arrears to his Lodge for over three months' dues, and has at no time since settled in full, as required by the Constitution of Subordinate Lodges and the By-Laws of his own Lodge.

1947. Inasmuch as Subordinate Lodges are not required by the general law (except at their own option), to pay benefits on the decease of the wife of a member, they are privileged to enact By-Laws prescribing that no member shall receive two (2) such benefits, and to exclude all members who have previously received benefits for the decease of a wife.

1948. A Lodge has a By-Law that provides for a funeral benefit of twenty-five dollars upon the death of the wife of a member, with a provision that no member shall be entitled to such benefits more than once. The wife of a member in good standing dies, who was his second wife, his first wife having died some years before the adoption of the foregoing law, at which time the Lodge paid him a funeral benefit. The brother is entitled to receive the funeral benefits upon the death of his second wife.

1949. The wife of a member dies; he, being in arrears, made no claim for benefits on account of her death. He remarries, and upon the death of his second wife, being in good beneficial standing, claims benefits. The By-Laws of the Lodge provide that funeral benefits by reason of the death of the wife of a member shall be paid but once. As, under the circumstances he can claim but once, that is, for the second wife, he is entitled to the benefits for the second wife's death.

1950. A member of a Lodge was initiated July 6, 1880, and has never taken any of the degrees except the first degree, but has always been in good standing. The brother's wife died a few days ago. The brother is entitled to the funeral benefit payable by the Lodge on the death of a wife for the reason that brothers initiated prior to July 1, 1882, are beneficial without regard to the degrees taken.

1951. Where a brother of a Lodge is an inmate of the Odd Fellows' Home of Pennsylvania, and while such an inmate his wife dies, the funeral benefits for the death of his wife are payable to the brother.

1952. A brother claimed funeral benefits from the Lodge for the death of his wife upon the ground, only, " that she was his lawful wife and he her lawful husband," and that he desired the money upon the pretense of paying the doctor for his services previous to the last illness of said wife. The testimony for the Lodge showed that at the time of the death of the wife, and for some time previous, he did not live with or support his wife or his child, but that on the contrary, they were living apart from him, and were supported by her parents, and he had obtained from her a release, drawn by an attorney and signed by her, releasing him from all claim whatever that

FUNERAL BENEFITS—Funeral Benefit on Death of Wife.

she might have against him in the future. Held that the laws of the Order in providing for the payment to the husband of funeral benefits on the death of the wife, contemplate that the relations of husband and wife should exist at the time of the death, which did not in this case. It would be a scandal upon the Order to allow a man, who had passed through the marital ceremony with a woman, and who thereafter performed none of the duties and bore none of the burdens which that relation imposes, to receive funeral benefits upon the death of a neglected wife. It becomes a speculation on the part of the husband, which the Grand Lodge will not approve.

FRATERNAL PAPERS.

See **Circulars.** *See* **Emblems.**

1953. The "Fraternal Press" of our Order has come to be a most important element in the work of this Fraternity. The reading public, as well as the great majority of Odd Fellows, everywhere, are each year becoming more and more interested in learning of the financial, as well as the numerical strength of the Order, whose interests are so vast that the press is needed in its work, and most nobly has the "Fraternal Press" responded to this need. It brings to every Lodge and every brother news of the important matters concerning the Order, increases interest in it, and knowledge of its great work. Our fraternal newspapers and magazines are improving in every direction, and are rapidly becoming an almost invaluable adjunct to our Order. The circulation of the deserving ones should be encouraged and aided in every legitimate way.

1954. The Grand Lodge is authorized to empower Lodges and Rebekah Lodges to appropriate money from their general funds to pay for purely fraternal Odd Fellow papers for each of their members.

1955. The Grand Lodge has no power to make it obligatory upon the members in this jurisdiction to subscribe for and take a paper devoted to the interests of the Order.

1956. An appropriation by a Grand Lodge towards the support of an Odd Fellows' periodical does not necessarily imply that it is thereby designated as the official organ of the Grand Lodge, and in the event of the failure of the Grand Lodge to so designate the periodical, the Grand Master has no authority to designate it as such official organ.

GENERAL LAW.

See **Local Law.** *See* **Conflict of Law.**

1957. By general law, which includes the Ritualistic law, is meant the Constitution and By-Laws of the Sovereign Grand Lodge, the Ritual, the written and unwritten work of the Order, and all the legislative and Judicial actions of the Sovereign Grand Lodge that are not expressly stated to be local legislation.

1958. The Sovereign Grand Lodge is alone authorized to decide questions of general law. Irregularities arising out of the violation of law can only be healed by the authority competent to pass the law; if the law violated was "one of general application" the Sovereign Grand Lodge alone is such competent authority.

1959. The Sovereign Grand Lodge construes its own laws, and passes upon the validity and integrity of those passed by Grand Bodies, and in the interim of its session devolves this duty upon the Grand Sire, when referred to him, whose decision thereon is to be followed until overruled by the Sovereign Grand Lodge.

GENERAL RELIEF COMMITTEE.

1960. The Grand Lodge is authorized to establish General Relief Committees, organized as to enable them to carry out, as far as may be, the requirements for relief found to exist in their several jurisdictions, and for the maintenance of which they may organize Relief Committees to receive contributions from Lodges and individuals, and may authorize the Grand Master to grant dispensations to such committees to raise funds by such legitimate means as he may approve. Provided, that like restrictions be placed upon said Relief Committees in the giving of entertainments as are placed upon Lodges under dispensations for like purposes; and provided, further, that nothing herein contained shall be so construed as to divest Lodges of their rights or prerogatives in the care and assistance and relief of sojourning members of the Order, or to compel the formation of such Relief Committees. Such committees are required to report annually to the Grand Secretary of the jurisdiction wherein organized; and provided, further, that in jurisdictions where, in the judgment of the Grand Lodge, the method of raising funds for the carrying on of the work as set forth above is inadequate, the Grand Lodge may prescribe, by legislation, authority for a per capita assessment on the members of the Lodges represented in such Relief Committees.

1961. A Lodge cannot be compelled to join such a General Relief Committee against its wish.

1962. A Lodge, having joined such a committee, may withdraw therefrom at its pleasure.

1963. It is illegal to hold meetings of a General Relief Committee on Sunday, and a member of such committee is not bound to attend the meetings held on that day.

GOOD STANDING.

1964. A member shall be considered in good standing who is a contributing member of a Subordinate Lodge and free from any disability by reason of non-payment of dues or of charges under the penal provisions of his Lodge.

1965. Good standing does not necessarily mean beneficial standing. For example, a Lodge may provide that a brother shall not be entitled to benefits until a specified time after his arrears of dues have been paid in full; nevertheless, immediately upon paying his arrears, a brother would be entitled to all the other privileges of good standing except benefits, such as voting, having the pass word, etc.

1966. If in arrears for dues and liable to suspension, a brother is not in good standing.

1967. No member is in good standing while his note is held for dues. The note is a new form of indebtedness, not a discharge of the debt.

1968. The answer to the question as what arrears of dues and charges are necessary to bring a brother into bad standing, depends upon the local legislation of the Grand Lodge to be found either in its Constitution or By-Laws, or the Constitution prescribed by it for Subordinate Lodges, or in some other legislation of the Grand Lodge of Pennsylvania. The question of what taxes, fines and assessments may be included in charges against members so as to make them non-beneficial or to affect their standing in the Lodge is one to be settled by the legislation of each Grand Lodge. And when the Grand Lodge has made a law which defines explicitly the terms of good standing of members in their respective Lodges, a Subordinate Lodge cannot add to or change the requirements of the local law in any way; for example as by requiring attendance at Lodge meetings by its members once in each quarter, in order to entitle them to the benefits of the Order.

1969. Freedom from any disability by reason of non-payment of dues of every kind is one of the requisites of good standing.

GOOD STANDING.

1970. To constitute a member in good standing he shall be a contributing member, which presupposes that he shall be in active membership, a condition not contemplated in a quasi-membership.

1971. There is no such thing permitted by our laws as vouching for a member's good standing.

1972. The term good standing, as used in reference to membership in a consolidated Lodge, means that the brother was not suspended for non-payment of dues at the time the consolidation was consummated, and when used with reference to membership in a defunct Lodge, it means that the brother, at the time the Lodge became defunct, did not owe more than one year's dues.

1973. A member is tried and expelled from his Lodge. One year thereafter, on appeal to the Sovereign Grand Lodge, the action is reversed, and his Lodge is ordered to reinstate him. During the time of one year, and pending the appeal, he is in good standing in his Lodge.

1974. It is the duty of the Lodge to place in good standing a brother who is sick and drawing benefits, and in the eyes of the law he is in such good standing for a period of over thirteen weeks after being discharged by the Lodge, even though the Lodge neglected to make the deduction of all his arrears for dues up to the time of his discharge.

1975. If a brother is in good standing it is immaterial that he will become in arrears in a few days; he may enjoy to the full the privileges of membership until the default actually occurs.

1976. If a brother pays his dues on the last meeting night of the quarter, he can, on the evening of payment, ask for and receive the term pass word.

1977. A member of a Subordinate Lodge who is in arrears for weekly or funeral dues more than thirteen weeks is not entitled to the term pass word, or to vote in the Lodge, but is entitled to visit his own Lodge until dropped, suspended or expelled. The above phrase, "who is in arrears' for weekly dues or funeral assessments for "more than thirteen weeks" means "who owes more than thirteen weeks' weekly dues or funeral assessments."

1978. A brother having a Visiting Card is beneficial, if otherwise entitled, for thirteen weeks after the card has expired.

1979 A member absent from the jurisdiction of his Lodge holding an official certificate, is chargeable with all funeral and other legal assessments which may fall due during the time for which the certificate was granted, but he cannot be suspended from benefits until three months after the expiration of the official certificate by accumulation of funeral dues accruing while the certificate is running.

1980. A veteran member who has been transferred to non-contributing membership is entitled to the pass word and fellowship of the Lodge, and has all the privileges of active membership except benefits, although he pays no dues.

1981. The only provisions on the subject of good standing in the laws of this jurisdiction relate to beneficial standing and are found in the Constitution for Subordinate Lodges, and relate entirely to beneficial standing, to wit.: "A member who is over thirteen weeks in arrears for dues is not entitled to benefits, and he cannot become entitled to benfits until he shall have paid up in full all dues and assessments and fines that have accrued up to the date of payment, if the By-Laws so provide, nor then until the expiration of such time thereafter as may also be provided in the By-Laws as a penalty. In determining the beneficial standing of a member the time and not the amount shall be considered. If all the dues assessments and charges that have been charged in the preceding thirteen weeks ending with the last meeting, but not including the present meeting, are unpaid, he is non-beneficial at the close of the present meeting.

GOOD STANDING.

"A member who is in arrears to the Lodge for over thirteen weeks when taken sick or becoming disabled, cannot by the payment of such arrearages, become entitled to benefits during the continuance of that sickness or disability."

"In case of the death of a wife of a member in good standing and entitled to weekly benefits, the Lodge may, by its By-Laws, provide for the payment of such funeral benefits as may be deemed advisable."

The absence of local legislation upon the subject of good standing necessarily brings the subject under the regulations of the general law as above stated.

GRADED BENEFITS.

1982. The provisions in the Subordinate Constitution confining the payment of benefits to the members who have received the Third Degree or those who were initiated after the first day of July, 1882, is legal and proper.

1983. A Lodge may lawfully provide by By-Law that no benefits shall be paid until six months, or any reasonable time, after receiving the Third Degree.

1984. A Lodge may lawfully provide by By-Law that no benefits shall be paid a member admitted by card, certificate, or reinstated, until six months, or any reasonable time after being admitted to membership or reinstated.

1985. It is not legal for a Lodge to pass a By-Law making a part of its membership beneficial after three months' membership and another part non-beneficial until after six months' membership. The six months' clause under the circumstances would be null and void.

1986. It is not legal for a Lodge to pass a By-Law allowing five dollars per week benefits to members of ten years' standing, and three dollars per week to members of three years' standing.

GRAND HONORS.

1987. Grand Honors are given to elective and Past Grand Officers, Grand Representatives of both the Grand Lodge and Grand Encampment of Pennsylvania, to District Deputy Grand Masters, and to the Grand Master's Special Deputies at installation, who announce themselves as coming officially to visit a Subordinate Lodge.

1988. The Honors of the Order are also given to elective and Past Grand Officers visiting outside of their jurisdictions, after they have been recognized and have been introduced to the Noble Grand by name and rank. The above is a Grand Sire's decision, which was approved as being in accordance with previous precedent and usage. Recently, however, the Grand Sire has decided that there is no law providing for the giving of Grand Honors to a Grand Master of a sister jurisdiction when introduced as such in visiting the Grand Lodge. The giving of Grand Honors to visitng Grand Officers from another jurisdiction, therefore, depends upon usage and custom.

1989. A Past Grand Master has a right to announce his title as such at the inner door when visiting a Subordinate Lodge on ordinary occasions; but he is not entitled to the Honors of the Order unless he visits on official business, which he should announce.

1990. An elective Grand Officer, introducing a visiting brother, does so in his official character and capacity. He announces himself as the Grand Master, or other elective Grand Officer, as the case may be, "with a visiting brother;" and he must do so or he cannot make the introduction. The Lodge is required to give him the Honors of the Order in such cases, and he cannot waive the right.

1991. The Honors are not given the visiting brother unless he is also entitled thereto.

GRAND HONORS.

1992. A District Deputy Grand Master is entitled, when visiting a Lodge officially to install the officers, or upon other official duty, to the same honors that are accorded to the Grand Master, whose representative he is.

1993. A Past Grand Representative is entitled to rank as such in every branch of the Order of which he is a member.

1994. The Grand Master may visit a Lodge in his individual capacity as a member of the Order, and upon such visits he should not expect to be received with Grand Honors. It is only when he announces himself as Grand Master that his visit becomes official.

1995. A Grand Officer, when visiting officially, should be introduced after he has addressed the chairs and been given the Grand Honors.

1996. Grand Officers should address the chairs as other members. The Grand Honors are given immediately after the Grand Officers are recognized by the officers of the Lodge.

1997. A Grand Officer visiting a Subordinate Lodge is given the Grand Honors after he has addressed the chair, and on retiring from the Lodge.

1998. When an officer entitled to receive the Grand Honors announces to a Lodge his intention of making it an official visitation he must be received with the Honors of the Order. The Lodge cannot inquire into the nature of his business and decline to receive him, because, for example, they may think that although he is an elective Grand Officer, the brother he is about to introduce should have some pass word, which he should communicate to the officers of the Lodge.

1999. In this jurisdiction it is the duty of the Grand Master, either in person or by the District Deputy Grand Master, or by some qualified Past Grand, appointed by the Grand Master, to install the officers elect of all Subordinate Lodges, and these deputies, when they appear in a Subordinate Lodge for the purpose of installation, are entitled to the Grand Honors.

2000. A Past Grand who has been appointed by a District Deputy Grand Master, or selected by his Lodge to install the officers, is not entitled to the Grand Honors when he appears for that purpose.

2001. The officers and members of a Subordinate Lodge, when visiting another Lodge in a body and introduced by their own officers, are not entitled to be received with Grand Honors.

GRAND LODGE.

(a). Fundamental Powers.
(b). General Powers.
(c). Legislative Powers.
(d). Powers as to Payment of Benefits.
(e). Judicial Powers.
(f). Powers over Subordinate Lodges.
(g). Powers over Homes.

(a). Fundamental Powers.

2002. The Grand Lodge exists by reason of a charter granted by the Sovereign Grand Lodge.

2003. All power and authority not reserved by the Sovereign Grand Lodge is, in this jurisdiction, vested in the Grand Lodge, and within the limitations fixed by the Sovereign Grand Lodge, it is supreme for all local legislation and appellate jurisdiction.

2004. The Sovereign Grand Lodge has no power to alter the Grand Lodge charter without first obtaining the consent of the Grand Lodge.

2005. The several Grand Jurisdictions are separate and independent bodies, and have full power, within the scope of the principles of the Order, to legislate and do all things necessary to carry out the objects of the Order, and in the execution of which the Sovereign Grand Lodge will not interfere

or review, unless clearly in opposition to or subversive of established principles.

2006. The Grand Lodge has the right to adopt a form of laws or Constitution for its government.

2007. While the Sovereign Grand Lodge does not claim the power to dictate to a Grand Body the particular form in which it shall frame its organic law, it does appear to be eminently proper that whatever form may be adopted, its provisions should be as simple, direct and comprehensive as possible, without unnecessary prolixity, and free from any clauses, sentences, or paragraphs that are imperfect or incomplete in themselves, and incapable of being understood, without resorting to other and entirely distinct enactments of other and entirely distinct bodies or authorities.

2008. The Constitution, when framed, must be submitted to the Sovereign Grand Lodge, immediately upon its adoption, for approval.

2009. It is not operative until approved, and entirely inoperative if disapproved.

2010. The Grand Lodge also has authority to adopt By-Laws in conformity with the Constitution or general frame of government.

2011. The Grand Lodge may, at its pleasure, review, affirm or reverse its former decisions, and alter its legislation.

(b). General Powers.

2012. The Grand Lodge transacts its business in the Grand Lodge Degree, which is a matter of substance and draws after its actual membership.

2013. The Grand Lodge has the power to require that every Past Grand entering the Grand Lodge must have the pass word of the current term.

2014. A Grand Lodge, on ascertaining that a Past Grand present at any session is more than thirteen weeks in arrears, and that he obtained the pass word improperly, may eject him from its session.

2015. The Grand Lodge is prohibited from conferring the Grand Lodge Degree for a pecuniary consideration and with a view of increasing its revenue, or for any other consideration, except the regular performance of the duties of the Noble Grands' chair, the said degree having been designed as a reward for faithful service in the Subordinate Lodge.

2016. The Grand Lodge Degree can regularly be given only during the session and in the room in which the Grand Lodge is assembled; but by special permission, it may be conferred in some contiguous room. It is a matter of substance, and constitutes actual membership in the Grand Lodge.

2017. The Grand Lodge shall have a seal, an impression whereof in wax shall be sent to the Grand Secretary of the Sovereign Grand Lodge and be deposited in the archives of the Sovereign Grand Lodge.

2018. The Grand Lodge may open in the Scarlet Degree at installation. Grand Lodges are permitted to exemplify the degrees in the presence of all duly qualified members in good standing, and for that purpose to admit them to the floor of said Grand Bodies.

2019. The Grand Lodge may also provide for the exemplification of the degrees of the Order while open in the Scarlet Degree.

(c). Legislative Powers.

2020. The Grand Lodge cannot delegate its legislative functions.

2021. The Grand Lodge may, by its Constitution, restrict its legislative power to such representative basis as it may deem best for the proper transaction of business.

GRAND LODGE—Legislative Powers.

2022. Grand Bodies have the right to establish a system of representation, and are the proper source whence such system should emanate.

2023. The Grand Lodge cannot transfer its legislative functions to a committee.

2024. The Grand Lodge may legislate on all subjects which the Sovereign Grand Lodge has expressly left to "local legislation." For example, when the general laws say that the time of conferring the degrees should be left to the control of subordinates, subject to such rules as may be prescribed by local legislation, it means the legislation of the Grand Lodge.

2025. A Grand Lodge has the inherent power, as has every deliberative assembly, to maintain its dignity by preserving order and decorum while in session, and punish all infractions of them, but it can only do it upon proper notice in the absence of the offender.

2026. The Grand Lodge has power to make general laws for the government of its subordinates, and the local wants of its subordinates should be its guide upon the subject. Subordinates have no legislative power whatever, except to make By-Laws for their own internal government.

2027. The Grand Lodge has full power to assess upon its subordinates a per capita tax or assessment for its support. The assessment is not upon the individual members, out of their private means, but upon the subordinates in the ratio of membership, out of their Lodge funds.

2028. The right of a Grand Body to raise revenue for its legitimate purposes by assessment on its subordinates has been recognized and enforced by the Sovereign Grand Lodge of the I. O. O. F.

2029. The Grand Lodge has the power to assess its subordinates to meet deficiencies and to pay current expenses.

2030. Members of Grand Lodges are not to be taxed out of their private means, but the ratio of membership in the Grand Lodge, or per capita tax, may form the basis of the assessment on the Subordinate Lodges out of their Lodge funds.

2031. Where the Constitution of a Grand Lodge provides that "The revenue of this Lodge shall be raised solely for defraying the necessary expenses thereof, and shall not be appropriated to any purpose foreign to objects of the Order," held that the Grand Lodge has power to assess its Subordinates for purposes other than its own support.

2032. The Grand Lodge has authority to prohibit meetings of its subordinates from being held at places that may not be deemed sufficiently private and secure from intrusion.

2033. A Grand Body has not the power to divide its jurisdiction into subordinate Grand Divisions, and charter Grand Division Lodges in them, with power to hear appeals from Lodges therein and redress grievances. Grand Lodges can only issue charters to Subordinate and Degree Lodges (and Rebekah Lodges). The officers to be known and recognized in the Order having been carefully selected and designated.

2034. If a Grand Lodge passes a law in direct conflict with its Constitution, and without observing any of the forms required by it, the law is illegal, and its subsequent unanimous approval can give it no legal binding force.

2035. By the general law action taken by the Grand Lodge at one session can be reconsidered at the subsequent session.

2036. A Grand Lodge can reconsider a ruling of the Grand Master made at the previous session of such Grand Body.

2037. The Grand Lodge, through inconsistent rulings of parliamentary practice, cannot deprive itself of its inherent power to consider any propo-

sition submitted to it and take such action thereon as it may determine to be best.

2038. The Grand Lodge may permit the use of the names and numbers of extinct Subordinate Lodges in this jurisdiction.

2039. The Grand Lodge may confer the power on the Grand Master, during the recess of a Grand Lodge, to grant a petition from a Subordinate Lodge to restore an expelled member to said Lodge after the same shall have been approved by the Board of Grand Lodge Officers.

2040. In a certain case, the appellant stated that his appeal was brought more specifically to determine whether a Grand Lodge may, at its pleasure, review, affirm, or reverse its former decisions. Held that there is no doubt on that matter. A Grand Lodge can alter its legislation. Section 4, of Article I. of the Constitution of the Sovereign Grand Lodge applies only to cases under appeal, and not to all legislation of a Grand Lodge.

2041. It is not within the province of the Sovereign Grand Lodge to question the wisdom of any legislative action of the Grand Lodge; provided, it does not violate the laws of the Order.

(d). Powers as to Payment of Benefits.

2042. Grand Bodies were originally organized for the express reason that it is expedient and necessary to separate the legislative from the operative portion of the Order, and while this landmark of our Order has been somewhat modified by recent legislation of the Sovereign Grand Lodge, that legislation has never yet gone to the extent of imposing any relief work upon the State, Territorial or Provincial Grand Bodies as a duty. This duty still rests upon the Subordinate Lodges, except so far as it is voluntarily assumed by Grand Bodies, and even then, these Grand Bodies cannot go beyond what is clearly warranted by the legislation of the Sovereign Grand Lodge.

2043. The Grand Lodge cannot assume the payment of sick benefits in its jurisdiction and tax all its members to provide a fund for that purpose; nor can it form such a fund to which such Lodges as choose may contribute such sums as the Grand Lodge may name to be paid as sick benefits to members of such contributing Lodges only.

2044. The Grand Lodge has no right to appropriate money from its funds raised by assessment upon its subordinates for the relief and support of a member of one of those subordinates.

2045. A Grand Lodge cannot lawfully provide a death benefit for members of Lodges under its jurisdiction and raise the funds by per capita tax or assessment.

•2046. Nor can the Grand Lodge provide for the payment of weekly benefits and provide the funds by a per capita tax.

2047. The fact that a jurisdiction has a Home for Aged and Indigent Odd Fellows does not authorize a Grand Lodge to expend its funds for the support of such a brother residing outside of its jurisdiction.

2048. A Grand Lodge which expends its funds for the relief of an indigent and helpless brother, temporarily residing within its jurisdiction, cannot compel the Grand Lodge of the jurisdiction to which such brother belongs to reimburse it for money thus expended.

2049. The Question was asked if, where a brother away from his home Grand Jurisdiction dies without an estate and is buried by a Lodge where he is, and the amount paid for funeral benefits by his home Lodge is insufficient to reimburse the Lodge conducting the burial for the expenses incurred, the same being as low as possible consistent with decent burial, can the Grand Lodge to which the subordinate conducting the burial is subordinate reimburse said subordinate out of its general fund the amount expended by it

GRAND LODGE—Powers as to Payment of Benefits.

in excess of the amount received from the deceased brother's home Lodge? To which the Sovereign Grand Lodge held that a Grand Lodge cannot expend its funds for the payment of funeral or other benefits, either by reimbursing Subordinate Lodges the difference between the amount authorized to be paid under the law applicable and the amount actually expended, in a given case in behalf of their own or sojourning members, or otherwise; and a Grand Lodge cannot, by Constitutional provision, authorize such expenditure of its funds.

2050. A Grand Lodge cannot provide for the payment out of its own funds of benefits to members of defunct Lodges; nor can it collect dues from such members for the purpose of paying them benefits, except in accordance with the provisions of the general laws for the creation of an Aged Odd Fellows' Fund.

2051. Grand Secretaries shall keep a register to be known as the "Aged Odd Fellows' Register." Any Odd Fellow over fifty years of age, who has been in continuous membership for twenty-five years or over, and whose Subordinate Lodge has surrendered its charter, and who would, under the laws of the Grand Lodge, be entitled to receive a Grand Lodge Card, may petition the Grand Lodge to place his name upon the "Aged Odd Fellows' Register." Said petition shall be accompanied by such a certificate of eligibility from such authority as the Grand Lodge may prescribe. Upon such petition being granted the Grand Secretary shall place the name of such petitioner upon the "Aged Odd Fellows' Register." Any Odd Fellow enrolled according to the above provisions may apply for admission to any Subordinate Lodge under the conditions hereinafter set forth. Any Odd Fellow enrolled upon the "Aged Odd Fellows' Register" may be admitted to membership in a Subordinate Lodge. He shall pay to the Grand Secretary, through the Lodge to which he has been admitted, such admission fees and dues as the Grand Lodge may prescribe, said fees and dues to be placed to the credit of the "Aged Odd Fellows' Fund." Any Odd Fellow enrolled as above in a Subordinate Lodge as herein provided who becomes sick or disabled so as to be incapable of earning a livelihood, shall receive from the Grand Secretary, through the Lodge to which he has been admitted, such weekly benefits as the Grand Lodge may prescribe, so long as the moneys collected under the provisions of the "Aged Odd Fellows' Fund" shall permit the payment of the same. Subordinate Lodges shall immediately notify the Grand Secretary in all cases of sickness or disability referred to in the preceding section, of their commencement and termination, and the Grand Secretary shall notify Lodges having members on the "Aged Odd Fellows' Register" when the said fund shall be depleted. Upon the death of an Aged Odd Fellow enrolled as above, who shall be entitled to the benefits of this fund, there shall be paid as funeral expenses such sum as the Grand Lodge may prescribe, so long as the moneys collected under the provisions of the "Aged Odd Fellows' Fund" shall permit the payment.

2052. Grand Bodies are not compelled to change their Constitution so as to provide that funds received from defunct subordinates shall constitute a fund for the relief of Aged Odd Fellows.

2053. The funds and other property of defunct Lodges can be applied to the relief of "Aged Odd Fellows" only under limitations fixed by the legislation of the Sovereign Grand Lodge.

2054. It is illegal for a Grand Body, by its Constitution, to apply the funds from defunct subordinates to the payment of sick or funeral benefits to such as are unable, by "reason of age or physical condition, to join another Lodge."

2055. The Aged Odd Fellows' Fund may also be increased and maintained by voluntary contributions, and by such other means as are not inconsistent with the laws of the Order.

GRAND LODGE—Powers as to Payment of Benefits.

2056. In 1900 the Sovereign Grand Lodge sustained a decision of the Grand Sire to the effect that the funds above referred to can only be applied to the relief of Aged Odd Fellows under the limitations and according to the provisions of the legislation above cited.

2057. A Grand Lodge cannot adopt a resolution authorizing the continuation of Lodge membership after a Lodge has become defunct by permitting the members of such defunct Lodge to pay $1 per month to the Grand Lodge of the jurisdiction.

2058. The statement of the resolution referred to in the preceding Section went farther, and embraced provisions not contained in the legislation of the Sovereign Grand Lodge upon the subject of an Aged Odd Fellows' Fund. Said resolution undertook to provide that members of defunct Lodges shall continue to be members of the Order in good standing, under the supervision of the Grand Lodge of the jurisdiction, and further provided that such members shall be entitled to receive pass words, etc., and did not comply with the legislation of the Sovereign Grand Lodge, which provided for a limited membership in a Subordinate Lodge of those who have become fifty years of age, and been in continuous membership twenty-five years or more only. The resolution also had no limitation as to age, and did not provide or require that members of defunct Lodges shall apply to, or become members under the conditions provided by law of Subordinate Lodges. Such a resolution, if adopted by a Grand Lodge, would not be legal.

(e). Judicial Powers.

2059. The power to construe its own laws is vested in the Grand Lodge of each jurisdiction.

2060. When a construction or interpretation of local law is required by any individual member or subordinate, the Grand Body having jurisdiction is the proper tribunal to pronounce on the question, subject to appeal to the Sovereign Grand Lodge.

2061. This construction or interpretation is reached through the decision of the Grand Master during the recess of the Grand Lodge, or by a resolution or inquiry offered at the session.

2062. A Grand Lodge has jurisdiction to construe its own laws, and having done so, its decision is and should be final.

2063. The decision of a Grand Lodge that the Grand Master had power, in a given case, to appoint a special deputy, is final.

2064. The Grand Master ruled out of order a resolution offered in a Grand Lodge that all committees should be appointed from Past Grand Masters and Representatives, upon the ground that the resolution abridged the authority of the Grand Master and the rights of Past Grands. Held, error. A Grand Lodge has final power to construe its own laws, and its construction of any of its Constitutional provisions is final.

2065. The Grand Lodge is not bound, because it has established a particular rule of law in one case on appeal, to adhere to that rule of law in subsequent cases of the same character, but in any such case may review, affirm, or reverse its former decision at pleasure.

2066. In all cases the decisions of the State, District or Territorial Grand Lodges or Grand Encampments shall be final and conclusive, until reversed by the Sovereign Grand Lodge on a direct appeal therefrom.

2067. A subordinate refused to reinstate an expelled member, as directed by a District Committee on Appeals. Charges were preferred against the Lodge to the Grand Lodge for such refusal, and the Grand Lodge, instead of compelling its subordinate to reinstate the member, directed the Grand Master to reprimand the subordinate for its disobedience to the mandate of the District Appeal Committee, and reversed the action of the District Appeal

GRAND LODGE—Judicial Powers.

Committee. Held that the Grand Lodge had power in the premises to do as it did.

2068. The Grand Lodge should not refuse to grant an appeal to the Sovereign Grand Lodge, to which, in a spirit of broad fraternity, it should have given its consent.

2069. The Grand Lodge has no authority to render any advisory judgment. The Grand Lodge could only order an investigation of a claim pursuant to the laws of the Order in this jurisdiction.

2070. The Grand Lodge is fully competent to decide such questions of fact as may be necessary for the exercise of any of its power.

2071. The Grand Lodge is bound by the provisions of the appeal procedure laid down in its laws. It can only decide upon the particular facts and as to the questions of law therein presented. It cannot advise or decide beyond these limitations.

2072. The Grand Lodge has no power to appoint a committee of the Grand Lodge to try a brother of a Subordinate Lodge. It may, however, order a Subordinate Lodge to try a member, and to this order the Subordinate Lodge must yield obedience.

2073. The Grand Lodge has power to expel a member from its own body who may be guilty of conduct derogatory to the character of the Order, either in or out of the Grand Lodge, after opportunity for defense, or after he shall have been duly convicted, but possesses no power to expel a member altogether from the Order.

2074. Charges for unbecoming conduct, having been in due form preferred to a Grand Lodge, against an officer of that body for being intoxicated on the public streets, a motion was passed to indefinitely postpone the charges. Held that this was an "exercise of its powers as a Grand Lodge where it had full and complete jurisdiction."

2075. The Grand Lodge may lay charges on the table.

2076. The Grand Lodge has authority to hear and determine a money claim by a member against his Subordinate Lodge.

2077. After the passage of a resolution by the Grand Lodge acquitting a brother who had been expelled by his Subordinate Lodge, it is competent for the Grand Lodge to reconsider such vote, and pass a resolution affirming the decision of the Lodge.

2078. The consent of the Grand Lodge to which the Lodge is subordinate, or the Board of Grand Officers, by its authority, is absolutely necessary to authorize the restoration of an expelled member.

(f). Powers over Subordinate Lodges.

2079. The Grand Lodge has power to make general laws for the government of the Lodges, and the local wants of their subordinates should be their guide upon the subject. Subordinates have no legislative power whatever, except to make By-Laws for their own internal government.

2080. The Grand Lodge has, unquestionably, the power to adopt a uniform Constitution for its subordinates, and the subordinates are bound to conform to such Constitution.

2081. It is the duty of the Grand Lodge to strictly prohibit all processions and balls at which the regalia, emblems, etc., of the Order shall be used, unless permission to hold the same be granted after due consideration in open Grand Lodge or, in its recess, be granted by the Grand Master. All publications made in any public newspaper, calling on the Order to appear in regalia on occasions not authorized by the Grand Lodge, are incorrect and liable to censure; and the unauthorized use of the name of the Order by any one is erroneous and strictly forbidden.

GRAND LODGE—Powers over Subordinate Lodges.

2082. The Grand Lodge has the power to appoint a committee to investigate the conduct of a Subordinate Lodge in the absence of charges regularly preferred against such Lodge. Ex parte evidence in such case can only be used as a basis upon which to prefer charges. It would be incompetent upon a trial of the Lodge. The committee would have no authority to examine the books of the Secretary of the Lodge.

2083. The Grand Lodge cannot elect an officer of a Subordinate Lodge.

2084. The Grand Lodge is directed to prohibit Subordinate Lodges under its jurisdiction from assembling in convention for the purpose of legislating on any subject without having first obtained the consent of the Grand Lodge.

2085. When a subordinate purchased ground and erected an "Odd Fellow's Hall" by forming a stock company and securing stock subscriptions, and afterwards a dispute arose between such subordinate and one of its members, who was a large stockholder in said company, as to whether such member had donated all or only part of his stock to the Lodge, and whether or not the Lodge was indebted to the member by reason of his stock subscription, and if indebted, in what amount. Held that the Grand Lodge had jurisdiction to hear and determine such controversy.

2086. A Grand Body has no power to compel one of its subordinates to reinstate one of its expelled members, except by an appeal from its action in expelling such member, nor allow one of its other subordinates to admit such expelled member to membership, except in the manner pointed out by law.

2087. A subordinate was sued and judgment recovered against it by a widow of one of its deceased members for benefits, which judgment, it was alleged, contravened one of the By-Laws of the Lodge, regularly approved by its Grand Lodge. The subordinate claimed the amount of this judgment from such Grand Lodge. The Grand Lodge was in no wise responsible.

2088. Where a Lodge pays to a sick brother in good standing in another Lodge the benefits he is entitled to by the By-Laws of his Lodge, and before reimbursement the Lodge to which the brother belongs becomes extinct, but surrendered no funds or property to its Grand Lodge, such Grand Lodge is not liable to reimburse the Lodge advancing the money to the sick brother, but where assets of a defunct Lodge come into the possession of a Grand Lodge, such assets are morally and legally subject to the refunding of such benefits.

2089. Subordinates have a right to make By-Laws for their internal government. The Grand Lodge cannot make By-Laws for its subordinates, but has the right of supervision, and may approve or disapprove. It may frame a model Code of By-Laws and recommend the same to its subordinates, but cannot compel its adoption. It can, however, enact a uniform Constitution, and may therein regulate the matter of benefits, so far as the general law allows, and the By-Laws of subordinates must conform to such Constitution; and the Grand Lodge may provide that no By-Laws shall be legal until approved by it or by the Committee on By-Laws.

(g). Powers over the Homes.

2090. The Grand Lodge can only authorize the creation of a corporation for the purpose of promoting, locating and controlling an Odd Fellows' Home of any kind, in accordance with the general laws of the Order, and when created such home must be subject to the control of the Grand Lodge at all times. It cannot legally provide that such home, when created, shall be "free from all interference, except upon the part of the Grand Lodge in session assembled."

2091. The Grand Lodge cannot lawfully authorize or recognize the organization, under the laws of the State, of a corporation to own and conduct

GRAND LODGE—Powers over the Homes.

a Home for the Aged and Infirm Odd Fellows, or the Widows and Orphans of Odd Fellows, over which the Grand Lodge would not have full control, by reason of a provision that any person, or number of persons, may become members of the corporation and vote for and elect the directors, which directors have the exclusive management and control of the corporation, conducting its business, controlling its property, and appointing all officers, agents and servants, renewing them at pleasure, fixing their compensation, and prescribing their duties. The Grand Lodge cannot levy a per capita tax for the maintenance of such a home, nor can it permit its subordinates to appropriate their general or widows' and orphans' fund for its support.

2092. The Grand Lodge may create a benevolent corporation, under the laws of the State, for the purpose of erecting and managing a home exclusively for aged Odd Fellows, or widows or orphans of Odd Fellows; provided, that the same is to be under the control of the Trustees elected by the Grand Lodge, who in turn are both members and Trustees of the Grand Lodge.

2093. The Grand Lodge may create a benevolent corporation, under the laws of the State, for the above named purposes, to be composed of the voluntary membership of Lodges which may join. These Lodges, being subject to certain dues, and when this corporation has been brought under the control of the Grand Lodge, the fact that a corporation composed as aforesaid is not under the complete control of the Grand Lodge does not prevent the Grand Lodge from donating to it a sum equal to ten cents per member for one year, and increasing its per capita tax accordingly.

2094. In this jurisdiction the homes are subordinate to the Lodges, except the Orphans' Homes, where the Grand Lodge is also a member of the corporations, and being subordinate to the Lodges who, in themselves are subordinate to the Grand Lodge, the homes are ultimately subject to the same supervision and directing care.

2095. The power to create and maintain these homes necessarily carries with it the power to raise money to establish and maintain homes, for without the power to raise money for this purpose, the authority conferred would be ineffectual. By the law of the Sovereign Grand Lodge it is left to the Grand Lodge to determine and pass upon the necessity for the establishment and maintenance of such an institution. When the Grand Body has passed upon this question, and determined the necessity to exist, it is then left to the Grand Lodge to determine the manner of establishing the Home according to the laws of the Order, and the means of maintaining the Home. The resolution of the Sovereign Grand Lodge in 1892 is a delegation of power to the Grand Lodge ,and there is no limitation, except the general laws of the Order, the Constitution and By-Laws of the Grand Lodge, and the will of the representatives.

GRAND LODGE OFFICERS.

See **Board of Grand Officers.**

2096. The officers of a Grand Lodge are: Grand Master, Deputy Grand Master, Grand Warden, Grand Secretary, Grand Treasurer, who are elected; Grand Marshal, Grand Conductor, Grand Guardian, Grand Chaplain, Grand Herald, who are appointed by the Grand Master. The Grand Lodge cannot abolish or do away with any of the above offices.

2097. The fact of a member of a Grand Lodge being an elective or appointive officer, a Past Grand Master or Grand Representative, confers upon him no peculiar privilege in respect to voting; unless he has been elected and is duly accredited as a Representative he is not entitled to vote at all, except in the election of Grand Officers, when all Past Grands in good standing in the jurisdiction are, ex officio, entitled to a vote. His privilege of voting arises altogether from the fact of his being a Past Grand in good standing in his jurisdiction in the one case, and in the other, because he has been elected and accredited, and not because he may chance to occupy any or either of the stations mentioned.

GRAND LODGE OFFICERS.

2098. Grand Lodges may elect their Grand Chaplain.

2099. A Grand Lodge may appoint such officers, additional to those required by law, as its wants and conveniences may require.

2100. The term of service for Grand Officers, as recognized by all the proceedings of the Sovereign Grand Lodge, is one year. Grand Officers who are elected for the brief period of three or four months are not entitled to the official honors of said office, except that when an officer voluntarily withdraws from the duties of a station he forfeits the honors thereof, and the successor who fulfills the duties of the unexpired term becomes entitled to said honors.

2101. The same rules apply concerning the service of an officer of a Grand Lodge while charges are pending as applies under like circumstances to an officer of a Subordinate Lodge.

2102. The elective officers of the Grand Lodge have powers and duties as prescribed in the charge-books, and have power to introduce visiting brethren within the jurisdiction of their Grand Lodge.

2103. The appointive Grand Lodge Officers have powers and duties as prescribed in the charge books, but do not have power to introduce visiting brethren within the jurisdiction of their Grand Lodge.

2104. A Lodge cannot inquire into the manner of election of Grand Lodge Officers. It is sufficient if they have been declared elected, have been installed and entered upon the discharge of their duties. Not to recognize the brother occupying that position as Grand Master is insubordination.

GRAND MARSHAL.

2105. The Grand Marshal is required, when the body of which he is an officer appears in processions and at grand visitations, to take charge of the same, and the Grand Lodge is under his charge. The duties of that officer continue during the term of service connected with his office, and he can no more be displaced, without cause, during the term than any other officer of a Grand Lodge.

GRAND MASTER.

(a). **His Power and Duties Generally.**
(b). **His Duties at Sessions of the Grand Lodge.**
(c). **His Powers and Duties to Enforce the Laws and Supervise the Lodges**

See **Mandates, Charters.**

(a). His Powers and Duties Generally.

2106. The Grand Master has powers and duties as prescribed in the Rituals of the Order, and performs such duties as are imposed upon him by his Grand Lodge. He has supervisory power over the Order in his jurisdiction, and must check the introduction of subjects foreign to the purposes of the Order.

2107. The Grand Lodge can elect the Grand Master from the floor without previous service, unless its Constitution, approved by the Sovereign Grand Lodge, contains some provision making him ineligible.

2108. A Grand Master removing from his jurisdiction before the term expires vacates the office and loses the honors.

2109. In the exercise of his supervisory power over the Order the Grand Master is required to enforce the law suppressing the improper publication of the work, cards, diplomas and supplies, as directed by the Sovereign Grand Lodge of the I. O. O. F.

2110. The interpretation of the Constitution of the Grand Lodge during its recess is vested in its principal officer, subject to a review by such Grand Body at its session following, and it is the duty of such officer to administer

the local law according to his conscientious interpretation thereof. He may seek the Grand Sire's opinion thereon, and such opinion, if given, is mandatory until reversed by the Sovereign Grand Lodge.

2111. A Grand Master is not the law-making power. He cannot ordain, enact or make laws or rules of procedure. His functions are ministerial and judicial, not legislative. He is a creature of the law, and not a creator of it, and possesses only the power conferred upon him by the law.

2112. The Grand Master has no authority to suspend the Constitution of a Subordinate Lodge, and any dispensation by a Grand Master in conflict with such Constitution is void.

2113. The Grand Master has no power to interpret the Constitution of his Grand Lodge as it applies to an act already committed by his Grand Lodge.

2114. The Grand Master may disregard a Constitutional provision if it is clearly in conflict with the laws of the Sovereign Grand Lodge.

2115. The Grand Master has power to act under a resolution conferring authority at a time when the Grand Lodge is entertaining a resolution to reconsider the same, he being aware of the fact. Whether the pendency of a motion to reconsider should induce a suspension of action is a matter for the discretion of the executive officer.

2116. Upon principle, a Grand Master should not hold office in his Subordinate Lodge or in a Degree Lodge, but it is a subject for local legislation, and in the absence of any local prohibition he may hold any such office as will not in any way interfere with his official business.

2117. Upon principle, a Grand Master should not hold office in his Lodge, such as Vice or Noble Grand.

2118. If the Grand Master suspends a Lodge, the Grand Sire has no power to order him to restore its charter, the remedy being by appeal to the Grand Lodge from the action of the Grand Master and then to the Sovereign Grand Lodge, whether the wrong complained of be to the Lodge or to an individual member.

2119. The Grand Master when visiting as such in his own jurisdiction should wear the regalia and jewels of his office.

2120. When the Grand Master, in the exercise of his supervisory powers, suspends a Lodge for violation of law, he has power to restore it without waiting for action by his Grand Lodge, unless the Constitution or instructions of his Grand Lodge limit his authority in this respect.

2121. The Grand Master has a right to take part in the proceedings of his own Subordinate Lodge, vote for officers, membership and on motions that come before it.

2122. The Grand Master is subordinate to the Grand Lodge and its laws in all things. He cannot suspend the carrying out of any positive direction given by the Grand Lodge, nor can he authorize an appeal from the Grand Lodge to the Sovereign Grand Lodge.

2123. The privileges of the Grand Master, as an ex officio member of all committees, do not extend to the Committee on Appeals, wherein it is specifically stated that no one shall be present except the committee appointed by the Grand Master, the parties and their counsel.

(b). His Duties at Sessions of the Grand Lodge.

2124. The Grand Master does not form an independent part of the governing power. During the recess he is necessarily, to some extent, the substitute or representative of the Grand Lodge; but during the session he is only one of its constituent elements, and presides over its deliberations.

GRAND MASTER—His Duties at Sessions of the Grand Lodge.

Even his acts during recess may, in most instances, be brought up for examination. The Grand Lodge alone can claim to be the supreme tribunal of the Order in this jurisdiction; to it he is indebted for his position, and to it he is accountable, and from and through it to the Sovereign Grand Lodge of the I. O. O. F.

2125. Whilst acting as presiding officer, the body over which he presides, and not himself, must, for the time, be the final judge. He should not deny appeals from his decisions, for if unconstitutional action should result therefrom, the wrong can be remedied by an appeal to the Sovereign Grand Lodge of the I. O. O. F.

2126. A Grand Master has no authority to change the time fixed by the Constitution for the meetings of the Grand Lodge.

2127. If there be no quorum within one-half hour, the Grand Master, or the presiding officer, may adjourn the meeting from time to time, until a quorum shall appear.

2128. In case of the absence of any one or more of the officers, his place shall be supplied by an appointment to be made pro tem by the presiding officer.

2129. He shall, through the Grand Marshal, have direction of all processions sanctioned by the Grand Lodge, and cause the proper forms and ceremonies to be observed.

2130. He shall, with the assistance of the Grand Representatives, instruct, or cause to be instructed in the work of the Order, the members of the Grand Lodge at every Annual Session.

2131. An appeal from a parliamentary ruling of a Grand Master lies only to the Grand Lodge, and not directly to the Sovereign Grand Lodge.

2132. The Grand Master does not possess the right or power to cause a mutilation of the records of the proceedings of his Grand Lodge, either before or after their publication. The Secretary is bound to report a correct transcript of the proceeedings of the body, and the body itself possesses the sole right to judge of and act upon a disputed fact of record.

2133. The Grand Master is entitled to vote in his Grand Lodge at elections for officers and on all questions to be determined in the Grand Lodge when he is a special delegate or representative from his subordinate; provided, he is not also entitled to the casting vote, but the regulation of this subject belongs exclusively to the State authorities.

2134. The Grand Master must report to the Grand Lodge such of his decisions made during its recess as may need the action of the Grand Lodge by reason of their being contested, or as being valuable additions to the local law.

2135. A decision of the Grand Master is binding until reversed by his Grand Lodge, unless his decision is in direct conflict with the Constitution and laws of the Sovereign Grand Lodge.

2136. The decision of the Grand Master may also come before the Grand Lodge by an appeal made by the Lodge or party whose interests have been affected thereby.

2137. The decisions of the Grand Master are in full force until reversed by the Grand Lodge, and when the vote on the resolution that the Grand Master's action in a certain case be sustained was a tie vote, the result is not to be regarded as a reversal of his decision, but as equivalent to no expression on the matter in issue.

2138. The decision of a Grand Master, approved by his Grand Lodge, stands as law upon a point not covered by the Constitution.

GRAND MASTER.

(c). His Powers and Duties to Enforce the Law and Supervise the Lodges.

See Questions. Inquiries. *See* Appeals. Decisions.

2139. The Grand Master has entire supervision over the Lodges during the recess of the Grand Lodge, and the right to interfere in all violations of law, and in case of persistent disobedience may suspend the privileges of the refractory Lodge until the case is tried and determined by the Grand Lodge.

2140. The power vested in a Grand Master to suspend and take from a Lodge its charter is a highly penal one, and is to be exercised only in extreme cases when injury to the Order is imminent; and the power should not be generally exercised until after notice to the Lodge, and not arbitrarily or for slight cause.

2141. The Grand Master's official relations are entirely with the Lodges. It is the duty of the Lodges to control their members.

2142. He has no power summarily to remove an officer of a Lodge, as his official relations are not with the officers of the Lodges, but with the Lodges themselves, in their Lodge capacity; and, therefore, if a Noble Grand persists in permitting improper work, in violation of his instructions, it is the duty of the Grand Master to inform the Lodge that unless it shall require its officers to conform to the work it shall be dealt with for insubordination.

2143. A Grand Master has no right to take the chair of the Noble Grand to prevent that officer submitting an illegal motion. If the Noble Grand persists in violating the law and his obligations, it is the duty of the Grand Master to inform the Lodge that unless it shall require its officers to conform to the law, he will proceed against it for insubordination. The official relations of a Grand Master are not with the Noble Grand, but with the Subordinate Lodge itself, in its Lodge capacity.

2144. If charges be preferred against a Lodge, whether the same would come before the Grand Master, a committee, or other tribunal, and the Grand Master is a member of the Lodge, does not affect his jurisdiction in any way.

2145. When a controversy in a Lodge has reached a point where charges are preferred or an appeal for benefits has been filed, the Grand Master has no jurisdiction to hear and determine the same, or to interfere therein, excepting, of course to insist upon the hearing being promptly held, and to see that the forms of the law are complied with; nor can he decide any questions arising therein. The case must proceed and reach a final determination according to the trial and appeal procedure laid down in the Constitution of the Grand Lodge and the Constitution for Subordinate Lodges.

2146. If, however, a Lodge refuses to entertain charges regularly presented, or to try the accused, or to appoint a commissioner and try the appeal for benefits, or to proceed therein according to law, it is then the duty of the Grand Master, on being notified of the facts by a party in interest, and after hearing the Lodges' answer to the charge of neglect or failure, and if the Lodge appears to be in fault, to require the Lodge to do its duty in that regard.

2147. Matters relating to the enforcement of the laws of the Grand Lodge usually come to the attention of the Grand Master either by the submission of a question by a Lodge, or on an appeal by a member of a Lodge from the action of the Lodge.

2148. It is the duty of the District Deputy Grand Masters to report to the Grand Master any persistent, wilful violations of the law by a Lodge or Lodges in their districts.

GRAND MASTER—His Powers and Duties to Enforce the Law and Supervise the Lodges.

2149. The Grand Master has no right to refuse to answer a question propounded to him by a Lodge, and it is his duty to decide appeals as aforesaid, to the end that the party dissatisfied may by appeal be afforded an opportunity to have the controversy settled by the Grand Lodge.

2150. The Grand Master is authorized to grant certain dispensations, but not being the law-making power, he cannot grant a dispensation for any purpose not authorized by law, or which the law says shall be otherwise. For example, the Grand Master cannot dispense with the law prescribing that a rejected candidate cannot be again proposed for membership until six months after said rejection.

2151. He cannot grant a dispensation to dispense with the regular meetings of a Lodge, except in cases of actual necessity, when a Lodge has no place to meet in.

2152. He cannot grant a dispensation to a Subordinate to enable it to suspend the payments of weekly benefits, or to reduce the initiation fee.

2153. He can grant dispensations in regard to those things upon which the laws of the Order are entirely silent, his dispensation then being merely a manifestation of his decision that the proposed action is legal and proper. For example, a Grand Master granted a dispensation to solicit subscriptions in his jurisdiction for erecting a monument over a deceased member of the Order.

2154. He may visit the Subordinate Lodges in his jurisdiction at pleasure, examine their books, make extracts therefrom, or he may appoint a competent Past Grand to make extracts; but he has no right to require full copies of their proceedings to be furnished him, this power being reserved to the Grand Lodge.

2155. He has authority, within his own jurisdiction, to introduce visiting brethren without subjecting them to the usual examination; but he is not allowed to introduce visitors prior to the opening, as the laws contemplate the reception of visitors in open Lodge.

2156. The Grand Master is authorized, by the general law, to grant permission to a Subordinate Lodge of another jurisdiction to apply to the Lodges in this jurisdiction for aid or relief. In this jurisdiction the Grand Master exercises this authority in conjunction with the Committee on the State of the Order. In such case where the application is favorably considered, such Subordinate Lodge is furnished with written authority therefor, in the form prescribed by the general laws. (See "Appeals for Aid.")

2157. The Grand Master has the power to collect the charters and books of defunct Lodges.

2158. While there are many of his duties, such as visitation, installation, and instruction in the Unwritten Work, which he performs with the aid of or delegates to the District Deputy Grand Masters or Special Deputies, nevertheless he cannot delegate to another his duty of rendering judgment and decision, or the determination as to the time when to exercise the high prerogatives of his office, in the issuance of his mandate and the enforcement thereof, in case of persistent disobedience, by the suspension of the Lodge.

2159. In relation to matters of instruction in the secret work and to enforce uniformity in all the signs and charges, as well as in the mode of working, the Grand Master has full authority in the premises in person or by lawful officers under him.

2160. Where a Grand Master and Grand Representative of the same jurisdiction, each at different times during the recess of the Grand Lodge, instruct a Subordinate Lodge or a District Deputy Grand Master in the secret work of the Order, and their instructions differ, the instructions of the Grand Master as the supreme authority in the jurisdiction are to be followed. But as it is the duty of a Grand Representative on his return to his jurisdiction

GRAND MASTER—His Powers and Duties to Enforce the Law and Supervise the Lodges.

to instruct his constituent Grand Body in the work of the Order, a Grand Master is charged with the duty of requiring of Lodges, as well as of members, a strict compliance with the instruction received by him from the Grand Representatives.

2161. The power of a Grand Master ceases only when his successor is elected and installed.

2162. No change in the administration of the office of Grand Master can be taken advantage of. If a Lodge does not perform its duty by obeying a mandate of the Grand Master before the end of his term, it is the right and duty of his successor to enforce all the mandates of his predecessor, and to issue such further orders as will carry the same into effect.

GRAND SECRETARY.

2163. The Grand Lodge, being a movable body, can meet wherever it may determine, but at its meetings the Grand Secretary should be present, with the charter and such records, laws, rituals, cipher and key to the secret work, etc., as may be necessary.

2164. The Grand Secretary is bound to report a correct transcript of the proceedings of the body, and the body itself possesses the sole right to judge of and act upon a disputed fact of record.

2165. In locating permanently the office of the Grand Secretary, the Grand Lodge only fixes the location of that office. The absence of the Grand Secretary temporarily from the office does not remove the office.

2166. He shall, as soon as practicable after the rate shall be fixed, communicate to the Subordinate Lodges the amount of per capita tax to be paid to the Grand Lodge.

2167. He is required to make out lists of the Lodges, with the number of votes to which they are entitled, and to have the same printed for calling the vote by Lodges.

2168. The Grand Secretary is required to forward to the several Lodges, at the proper time, two blank returns for the election of the Grand Lodge Officers.

2169. The Grand Secretary is required to send to each Subordinate Lodge with the list of candidates for Grand Officers, as many tickets for each as there are Past Grands in the Lodge to which the list is sent.

2170. He is obliged to conform to the law requiring that all orders for supplies shall be accompanied with the cash, and not less than one dollar's worth of cards will be furnished at one time.

2171. The Grand Secretary is prohibited from delivering or transmitting Visiting or Withdrawal Cards to any person whatever, or to any Lodge, except upon order in writing of a Lodge signed by the Secretary and authenticated by the official seal of the Lodge.

2172. Supplies may be delivered by the Grand Secretary to any accredited representative while in attendance at the Annual Session.

2173. Immediately after the election of a Grand Representative it shall be the duty of the Grand Secretary to forward to the Grand Secretary of the Sovereign Grand Lodge a duplicate copy of said Representative's certificate of election in the following form:

GRAND SECRETARY.

Certificate of Grand Representative, Independent Order of Odd Fellows.

To the Sovereign Grand Lodge of the I. O. O. F.:

This certifies that.....P. G., has been duly elected (or appointed) Representative from the Grand Lodge of..... to the Sovereign Grand Lodge of the Independent Order of Odd Fellows, for.....years.

Witness our hands and the seal of the Grand Lodge , this day of....., 19.., and of our beloved Order the.....

(Seal.)

A..... B....., Grand Master.

C..... D....., Grand Secretary.

Residence of Representative elect.....

2174. If the election be to fill the vacancy of an unexpired term, let the fact appear on the certificate, and designate the Representative elect by his highest rank or title in the Order. Grand Representatives shall be furnished by the Grand Bodies which they represent with such certificates ash sall be required by law.

2175. The Grand Secretary is instructed to prepare the form of Bond approved by the Grand Lodge for use of Lodges in this Jurisdiction, and distribute the same to the Subordinate Lodges in such manner as will best secure the desired result.

2176. Grand Secretaries, in jurisdictions where Homes of the Order are maintained, are required to obtain full and complete reports from such Homes annually, and forward the same to the Grand Secretary of the Sovereign Grand Lodge.

2177. The names of the Secretaries of the Lodges, together with the post office addresses, are to be printed by the Grand Secretary in the Annual Journal.

2178. The Grand Secretary is authorized to print in the Appendix to the Journal, the Reports of the District Deputy Grand Masters, so far as the same are proper for publication, together with such other matters as may be of general interest to the Order.

2179. The Standing Committees and the full term for which they were appointed shall appear in the annual Journals of the Grand Lodge.

2180. A Withdrawal or Visiting Card or Official Certificate is complete without the counter-signature of the Grand Secretary of the Grand Lodge of the State in which the Card or Certificate is issued.

2181. The Unwritten Work is to be in the custody of the Grand Secretary.

2182. The Grand Secretary is the custodian of the Cipher Keys, which he can only sell to Secretaries of Lodges.

2183. On or before the first day of December of each year the Annual Traveling Pass Word for the ensuing year is transmitted to the Grand Secretary by the officers of the Sovereign Grand Lodge.

2184. The Grand Secretary shall keep a record of the name and address of all applicants for membership who have been rejected in the Subordinate Lodges. Whether the application was made for admission by initiation, Visiting or Withdrawal Card, Defunct Lodge Certificate, Official Certificate or Dismissal Certificate, and likewise of all cases of suspension on charges, expulsion or restoration to membership.

2185. The Grand Secretary is the proper officer to whom application shall be made by a member of a defunct Lodge for a Withdrawal Card, Defunct Lodge Certificate or Dismissal Certificate, and to whom the applicant shall

present satisfactory evidence of former membership, when the books of the Lodge are not in the hands of the Grand Secretary, and also to whom evidence is to be presented that the applicant is, at the time, worthy of recommendation to the friendship and protection of the brotherhood.

GRAND REPRESENTATIVE.

2186. To be eligible for Grand Representative in this jurisdiction the candidate must be at the time of his election a Past Grand in good standing and a member of a Subordinate Lodge and a Rebekah Lodge in good standing. He must have received the Royal Purple Degree, be a member in good standing of an Encampment in good standing, and he must reside in the state, district or territory in which the Grand Lodge or Grand Encampment which he represents is located.

2187. A Grand Representative cannot represent more than one Grand Body at the same time.

2188. A Past Grand who may be nominated and who may accept the nomination of Grand Representative to the Sovereign Grand Lodge, is required to forward to the Grand Secretary a certificate of good standing from the Encampment of which he is at the time a contributing member of the Royal Purple Degree. No acceptance of the nomination for the aforesaid office shall have force without the reception of such certificate. It shall be the duty of the Grand Master or Grand Secretary to certify in relation to the eligibility of candidates.

2189. It is the duty of the Grand Representatives on return from a session of the Sovereign Grand Lodge to instruct the Grand Lodge in the work of the Order.

2190. It is the duty of the Grand Representatives to report all enactments of the Sovereign Grand Lodge in the matter of general law, and to report to the Grand Lodge all proceedings affecting its interests or the well being of the Order.

2191. It is the duty of a Grand Representative not to antagonize his Grand Lodge, but to represent its views and protect its interests.

2192. A Past Grand who resides in one jurisdiction is ineligible to the office of Grand Representative in another.

2193. A Past Grand elected Grand Representative in one jurisdiction while residing in another cannot become eligible to the office by removing into the jurisdiction after his election therein.

2194. The Sovereign Grand Lodge alone has power to pass upon and determine who is entitled to a seat in that body.

2195. The Sovereign Grand Lodge will not go behind a certificate of appointment to fill a vacancy appearing on its face to be authentic and in legal form when there is no adverse claim to the seat, nor any exception to the issuance of the certificate.

2196. A candidate for Grand Representative should possess all the qualifications prescribed by the Constitution at the time of his election; but he may be nominated before he has attained the Royal Purple Degree, and if he receives that degree between that time and the time the votes are cast for him his election will be legal.

2197. A brother who is elected a Grand Representative while he is suspended in his Rebekah Lodge for non-payment of dues does not become eligible by being reinstated therein after his election. He must possess the necessary qualifications at the time of his election.

2198. The office of Grand Representative is a vested right for two years, and so long as a Representative has and maintains the qualifications pre-

GRAND REPRESENTATIVE.

scribed by Section 3, Article IX., of the Constitution of the Sovereign Grand Lodge, this right cannot be divested, and if complications of business prevent a return to his jurisdiction before the second session, his office is not forfeited nor his domicile lost by such temporary residence. A resolution of his Grand Body that a Grand Representative must return to his jurisdiction before January 1st prescribes an additional qualification, and for that reason is unconstitutional.

2199. Grand Representatives shall be furnished by the Grand Bodies which they represent with such certificates as shall be required by law.

2200. Certificates of Grand Representatives should be signed by the officers serving when the certificates are issued.

2201. Immediately after the election of a Grand Representative it shall be the duty of the Grand Secretary of the Grand Lodge which he is to represent to forward to the Grand Secretary of the Sovereign Grand Lodge a duplicate copy of said Representative's certificate of election.

2202. When the credentials of a Grand Representative are presented to the Sovereign Grand Lodge before he can be recognized, his certificate should be referred to a committee, whose duty it shall be to examine its authenticity and also the qualifications of the Representative.

2203. A newly elected Grand Representative cannot be regarded as a member until his credentials shall have been received and the justice of his claim to a seat acknowledged by the Sovereign Grand Lodge, and until thus duly admitted no brother can take part in any of the proceedings of the Sovereign Grand Lodge. He is not a Grand Representative until his credentials have been accepted, and cannot wear the regalia of a Grand Representative until that time. A brother elected Grand Representative does not become such in fact until his credentials have been approved by the Sovereign Grand Lodge.

GRAND SIRE.

See Sovereign Grand Lodge. General Law. Local Law.

2204. A Subordinate Lodge under the jurisdiction of a duly organized and chartered Grand Lodge, has no right to submit any questions to the Grand Sire for his decisions, nor to take any appeal to him upon any real or supposed grievance, nor has the Grand Sire any power or authority to entertain, answer, or decide any such questions or appeals, if so submitted.

2205. During the recess of the Sovereign Grand Lodge he has a general superintendence of the interests of the Order. He may hear and decide such questions as may be submitted to him by the several State Grand Lodges and Encampments or by the Grand Master or Grand Patriarchs, or by the Grand Representatives. And his decision upon all appeals and questions so submitted to him shall be binding upon the bodies or persons submitting the same until reversed by the Sovereign Grand Lodge. At every communication of the Sovereign Grand Lodge he shall make a report in writing of all his official acts and decisions during the recess.

2206. His duties are not enlarged by the clause in the Constitution of the Sovereign Grand Lodge that he shall have "general superintendence of the interests of the Order," as these are intended to be executive and not judicial duties.

2207. He has no power to suspend a Grand Master or any officer of the Grand Lodge from the exercise of the duties of such office.

2208. The Grand Sire is clothed with certain executive and judicial powers. These are committed to and are to be exercised by him personally, and in pursuance of a well-understood maxim cannot be delegated to another unless so permitted by the terms of the instrument creating the office and defining its functions and duties. The constitution in express terms authorizes the Grand Sire in certain cases to depute his authority, and by prescribing when he can depute, the

law by a well-understood rule of construction, excludes deputation by him in all other cases.

2209. It is not within the province of the Grand Sire to nullify or "hold up" a law of the Sovereign Grand Lodge because he may believe that its enactment was neither wise, judicious or patriotic. It is his duty to construe it without reference to any such considerations, and as construed by him to enforce it. If he considers it Constitutional, as enacted, he must enforce it, without adjudicating upon its wisdom, judiciousness or patriotism; these are questions which concern only the legislative judgment of the Sovereign Grand Lodge.

2210. The Sovereign Grand Lodge has decided that where it directs a Grand Lodge to instruct one of its Subordinate Lodges to renew the trial of a member who had been expelled, it does not fall within the province of the Grand Sire to decide whether or not it is the duty of the Grand Master of that jurisdiction in vacation to instruct the Subordinate Lodge to carry out the directions of the Sovereign Grand Lodge.

2211. And it has also decided that the Grand Sire has no power or authority to issue a mandate directing or ordering a Grand Master to restore one of its subordinates which he has suspended for refusing to obey his directions.

2212. The Grand Sire has no power, by dispensation or otherwise, to authorize the Grand Lodge, by a unanimous vote, to adjourn to a place other than that provided in its Constitution, or do anything in violation of its organic law.

2213. The Grand Lodge of a jurisdiction passed a resolution changing its time of meeting. This was in contravention of a provision of its constitution, which provided that all amendments to it must lie over to the next annual session. The Grand Sire, being appealed to, decided that the Grand Lodge must meet on the day provided by its constitution. Held, although the action of the Grand Lodge in changing the time of meeting was illegal, the invalidity of its action results not from any lack of power, but from its failure to pursue the method prescribed for that purpose by its constitution.

2214. A decision of the Grand Sire reported to the next session of the Sovereign Grand Lodge, and not reversed by the Sovereign Grand Lodge, stands as general law, immediately operative.

2215. A decision of a Grand Sire, when approved by the Sovereign Grand Lodge, reverses a former decision which is in conflict therewith.

2216. The Grand Sire, in making his decisions sends, a copy only to the parties interested; he does not publish them until he submits them to the Sovereign Grand Lodge for approval.

GRAND WARDEN.

2217. He shall put all questions of appeal that may be taken from the decision of the Grand Master.

2218. In the absence of the Grand Master and Deputy Grand Master, he shall preside at the meetings of the Grand Lodge.

2219. In the absence of the Deputy Grand Master at the meetings of the Grand Lodge, he shall perform the duties of that officer.

2220. He, or the Deputy Grand Master, shall act upon the certificates of Past Grands, and approve them, if correct.

2221. A Grand Warden performing the duties of Deputy Grand Master, without having been duly elected and installed therein, is not entitled to take the rank of a Deputy Grand Master.

HALLS.

See Real Estate.

2222. A hall is a covered edifice, or room, usually of stately dimensions, devoted to public business. The name became associated with the Order through the fact that the earliest Lodges in this country were instituted in public taverns, which, to suit the conditions of business peculiar to those days, maintained these public assembling places. The designation has largely been superseded by the more correct title, "Lodge Room."

2223. The occupying of a hall by a Lodge, whether by lease of purchase, makes it a hall of the Order, without regard to who may be the owner of the property so occupied.

2224. A Lodge may, for the purpose of providing a place for its meetings, use a reasonable portion of its funds to purchase stock in an Odd Fellows' Hall Association, although such hall or building, when erected, will be in part used for other than the Order's purposes; or it may build a hall, either alone or jointly with some other organization.

2225. Lodges cannot assess their members a specific sum for necessary expenses in fitting up a hall and procuring necessary fixtures. They are authorized to adopt certain rates of regular dues necessary for providing funds with which to pay their legitimate expenses.

2226. The Grand Lodge disapproves of Lodges meeting in taverns. Under any circumstances, no Lodge should be instituted in any portion of a tavern, and those who meet in taverns should, as speedily as possible, remove therefrom.

2227. The Sovereign Grand Lodge believes in a Lodge owning its own property, but under no circumstances should they be permitted to rent or lease property owned by them for saloon purposes.

2228. The property in which a Subordinate Lodge was held should be a place where all gentlemen could attend, without the necessity of passing through a saloon, and, if possible, to permit no property in the possession of a Lodge to be connected with a saloon, and under no circumstances should intoxicating liquors be dispensed in or about a Lodge room.

2229. A Lodge shall not lease any part of its Lodge property, or property in its control, directly or indirectly, to any person or persons, to be used as a saloon or place to dispense intoxicants and beverages to be drunk there and then on the premises.

2230. Two propositions were before a Lodge—it being obliged to arrange for a new hall—one to buy a lot and build, which would involve the expenditure of all the funds of the Lodge, and leave them, besides, $800 in debt. The other was a proposition of a member to erect a building, making a suitable hall on the second story, which he would give the Lodge sole control of for a term of years, at $50 a year, the Lodge advancing him, on the completion of the building, $400 in pre-payment of rent, the interest on each remaining amount to be deducted as the yearly rental shall become due. The Lodge adopted the latter proposition, and the building was articled for and commenced. The Treasurer, in the meantime, announced his determination to refuse payment of the $400 when drawn on for it, on the ground that it was prohibited, being, in effect, a loan to a member. It was decided that it was not a loan to a member in the sense expressed in the law prohibiting the same, but was really paying rent in advance to the advantage of the Lodge. The Lodge was to be congratulated on its good judgment in refusing to sink its "trust funds" in the reckless project of building a hall that could not be a financial success, with a debt of $800 besides.

2231. All spirituous, vinous and malt liquors shall be excluded from the Lodge rooms and ante-rooms or halls connected with or adjoining thereto under the control of any Subordinate or Degree Lodge or Encampment of this Order.

HALLS.

2232. A Grand Lodge cannot compel a Lodge to meet in any particular room against the consent of such Subordinate Lodge. The Grand Lodge, however, has authority to prohibit meetings from being held at places that may not be deemed sufficiently private and secure from intrusion. Any order of the Grand Lodge which prohibits a Lodge from meeting in a suitable room is erroneous.

2233. While a Lodge may be organized in a good building on the ground floor, all Lodges are admonished to see to it that no person is permitted to gain knowledge of what is going on in the Lodge room by approaching it too closely.

2234. No Lodge room within the jurisdiction of the Sovereign Grand Lodge shall be used for the conferring of any degrees or secret work not provided for by the existing laws of the Order, and any officer of subordinate or other Lodge or Lodges who may aid or permit such degrees to be conferred in such Lodge rooms shall be guilty of a violation of the laws of the Order; provided, that this resolution shall not be interpreted so as to affect any such proceedings as may be had in such Lodge rooms by other secret organizations not under the color of Odd Fellowship.

2235. The use of the name, symbols, initials, or emblems of the I. O. O. F. in connection with any enterprise to be known as an I. O. O. F. or Odd Fellows' Hall or Building Association, or I. O. O. F. or Odd Fellows' Building and Loan Association, or any such association limiting its membership to members of our Order, or any such association limiting its management to our membership is illegal. No Grand Lodge has any authority to give its sanction to any such enterprise. Any Odd Fellow violating the provisions of this resolution shall, on conviction thereof, be expelled. The several Grand Jurisdictions are requested and instructed to enforce this law. Nothing herein shall be construed against or inhibit the building and support of any temples, widows' and orphans' homes, asylums, schools or halls which are used or to be erected and maintained within the legitimate purposes of the I. O. O. F.

2236. An association incorporated under the name of "Odd Fellows' Building Association, Limited," organized for the purpose of providing ways and means for the profitable investment of its funds in the purchase of land and the erection and maintenance thereon of a building to be known as "Odd Fellows' Hall," and not limiting its membership to the members of the Order, is in conflict with the above law.

2237. It is within the power of a Grand Lodge, to which application is made for the use of the name of the Order, to decide whether or not the enterprise for which such application is made comes within the legitimate uses of the Order; but the decision of such Grand Lodge must be in pursuance of the legislation of the Sovereign Grand Lodge, and especially in furtherance of the specific prohibitions and general tenor of the resolution of the Sovereign Grand Lodge. Such decision must, of course also be made subject to the revisory jurisdiction of the Sovereign Grand Lodge.

2238. It is not lawful for an association of members to be formed and incorporated under the civil law with the name and title of "Odd Fellows' Building Association" for the purpose of erecting a building (as an investment)—said building to be known as an Odd Fellows' building—and for such association to solicit members to invest therein without first obtaining the consent of the State Grand Body, and strictly complying with the laws of the Sovereign Grand Lodge regarding insurance societies and other laws prohibiting the use of the name and title of the Order in private enterprises.

2239. The legislation embodied in the above Sections had for its chief purpose the prohibition of the use of the names, symbols, initials or emblems of the I. O. O. F. in connection with Building Associations, which were business enterprises and carried on for profit. That the privilege and purpose contained in the exception just quoted might not be abused, it was wisely provided that any enterprise in the nature of an Odd Fellows' Building

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Association should first have the consent of the State Grand Body of the jurisdiction, and comply strictly with the law. This regulation was intended to secure a two-fold object of confining the building enterprise strictly to the purpose of the Order, and keeping it under the control, management and ownership of the Order. In any building enterprise, having for its object the providing of an Odd Fellows' Temple or building for the accommodation of the meetings and work of the organizations of the Order, the Grand Body having jurisdiction, or its Executive Grand Officer in vacation should see to it that the Building should be under such control and ownership of the Order, through its organizations and members, and that it should not partake of a business enterprise for profit.

2240. If only controlled and owned by the organizations and members of the Order, the fact that incidentally some portion of it not needed by or adapted to the uses of the Order, should be let or used for other purposes, would not necessarily divest it of its character of a building for the Order.

2241. The power to regulate this subject given to Grand Bodies does not, of course, contemplate that any financial responsibility whatever shall be assumed by the Grand Body, but only that satisfactory showing as to the management and ownership of the building, and uses of the same shall be made before it can proceed in the name or under the auspices of the Order.

2242. Before giving its consent the Grand Lodge or its Representatives can very properly also consider the proposed basis of the erection and maintenance of the building, so as to determine the probable financial safety of the same. When the organizations and members of the Order are well prepared in a community to erect and maintain a building for the uses of Odd Fellowship, it is helpful and favorable; but in a number of instances buildings or temples for the use of the Order have been erected, and for want of proper business organization and control, have been lost to the Order, and much injury thereby done.

2243. The following is suggested for the guidance of Grand Bodies and Grand Officers, under the legislation of the Sovereign Grand Lodge.

1st. That they should be satisfied that the erection and future control tended in good faith, only for the uses of the Order, and that profit or speculation is not the purpose.

2nd. That, though profit and speculation should not be the inducement to the enterprise, it is not objectionable if the building plan and management is such that, subject and incidental to the main purpose, there should be an income from such parts of the building as would not be needed or adapted for the uses of the Order.

3rd. That they should be satisfied that the erection and future control of the building should be with the organizations and members of the Order, and under their ownership.

4th. That the business basis for the erection, management and use of the building should be such as to reasonably promise successful maintenance of the same, and not result in financial loss to organizations and members, and the hurtful consequences resulting from the same. Of course, there cannot be absolute assurance of safety from such loss, but what is meant is that there should be such business plans as will indicate successful results in the erection of the building, and the continued use and ownership of it by the Order.

HAZARDOUS OCCUPATION.

2244. It is within the jurisdiction of the Grand Lodge to approve of the By-Laws of a subordinate which provides for the payment of a higher rate of dues by those whose occupations are of such a hazardous nature as to make them more liable to accident, or by reason of their residing in a locality where the climatic conditions increase their liability to disease, than is required of the member living under ordinary conditions.

HOLIDAYS.

2245. It shall be lawful for the Subordinate Lodges of this Order, whenever their regular stated meetings fall upon any national anniversary, Thanksgiving, and other legally established or generally recognized holidays, to omit holding a meeting.

2246. A meeting held on a public holiday is legal.

2247. The Grand Lodge can legislate to permit the Subordinate Lodges to wear regalia on a holiday, and not conflict with the rights and duties of a Grand Master, requiring him to secure a direct promise concerning intoxicating beverages. The prohibition against the use of intoxicating beverages, and their being offered to members and guests on such occasions, applies and is enforceable without a promise. The Grand Lodge has the right so to legislate; provided the day selected is a proper occasion and one that did not involve any immorality or impropriety.

2248. Permission is given to any Lodge that desires it, to celebrate Decoration Day, May 30th, and 4th of July, by appearing in public in regalia; provided, that the rules and regulations of the Order be observed.

2249. The meeting of a Subordinate Lodge on a legal holiday would be legal and valid, unless inhibited by local law. All business transacted at such meeting would be legal and valid, unless inhibited by the local law of the Order or by the law of the land.

HOLY BIBLE.

2250. The Holy Bible is an integral part of Odd Fellowship, and it is so regarded by the Sovereign Grand Lodge; and it is necessary that it should be present in every Lodge while open for business.

2251. The Bible is our great Chart, and from it our Ritual is taken; and it is right and proper to have a portion of it read at each meeting or a Lodge, if the Lodge desires to have it so done.

HOMES.

(a). General Principles.
(b.) Homes for Aged and Indigent.
(c). Orphan's Homes.
(d). Report.

See Committee on Homes and Kindred Charities.
Orphans.
See Inmate of Home.
Orphan's Asylum Fund.

(a). General Principles.

2252. The Grand Lodge has authority to adopt such laws for the purpose of establishing and maintaining Homes for aged and indigent Odd Fellows and widows of deceased members of the Order, and Homes for the care, protection and education of orphans of deceased Odd Fellows as it may determine to be consistent with the welfare of the Order in this Jurisdiction.

2253. At a session of the Sovereign Grand Lodge (Portland, 1892), the following resolution was adopted.

Whereas, The question of raising funds for the purpose of establishing and maintaining homes for aged and indigent Odd Fellows and widows of deceased members of the Qrder, and Homes for the care, protection and education of orphans of deceased Odd Fellows, is a matter of great and vital importance to many jurisdictions.

Whereas, There exists a doubt as to the right of State Grand Bodies to raise funds under the laws of the Sovereign Grand Lodge, as they now exist, for the above specified purposes; therefore

Resolved, That State Grand Bodies are permitted to adopt such laws for the purpose of establishing and maintaining Homes for aged and indigent Odd Fellows, and widows of deceased brothers of the Order, and Homes for the care, protection and education of orphans of deceased Odd Fellows,

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as they may determine to be consistent with the welfare of the Order in their respective jurisdictions.

Subsequent to the passage of this resolution, but at the same session, the following resolution was offered:

'Resolved. That when any Subordinate Lodge shall determine to establish any Home or Homes for the widows of deceased Odd Fellows, or for the education or support of the children of indigent or deceased Odd Fellows, they are hereby authorized to use their funds to maintain and support the same.

This resolution was rejected, and the following, as a substitute therefor, was adopted:

Resolved, That the State Grand Lodges and Grand Encampments may donate any surplus funds they may be possessed of for the purposes set forth in said resolution.

These two resolutions, passed by the Sovereign Grand Lodge at its session in 1892, taking effect January 1, 1893, constitute the only power conferred upon State Grand Lodges to create and maintain Homes for the Order as above set forth.

2254. The second resolution, as submitted to the Sovereign Grand Lodge, authorized State Jurisdictions to use their funds to establish and maintain these Homes; but the resolution as passed authorized the donation of any surplus fund on hand for that purpose. The effect of this second resolution is to authorize State Grand Lodges to donate their surplus funds for these purposes—a means provided for disposing of the surplus in the treasury. The changing of the language of the resolution as offered, which reads, "are authorized to use their funds to maintain and support the same" so as to read, "may donate any surplus funds they may be possessed of," clearly indicates the construction that must be placed upon this resolution. In the resolution as submitted, the Grand Lodge was authorized to use its funds to support and maintain these Homes, but the Sovereign Grand Lodge changed this language, making it read, "may donate any surplus funds they may be possessed of." The only purpose of this resolution was to permit donations by the State Jurisdiction of surplus funds on hand, and was not intended to limit or restrict the powers conferred to create funds for this purpose. The first resolution confers general authority upon State Jurisdictions to establish and maintain Homes generally, while the second resolution authorizes these jurisdictions to contribute by giving to these Homes any surplus in the treasury. The one is the delegation of general authority to create and maintain, while the other is the specific authority to make donations. With this construction, both resolutions can be given full force and effect, while with the other construction almost the entire effect of this legislation would be destroyed. It is urged that these two resolutions, having been passed at the same session of the Sovereign Grand Lodge, must be construed together, and that the second is a limitation of the power conferred by the first; that it was the intention to limit the power of State Jurisdictions to the donation of surplus funds for the creation and maintenance of Homes. This second resolution is not a limitation of the powers conferred by the first, but is rather the delegation of additional powers. These two resolutions, being the only legislation of the Sovereign Grand Lodge conferring authority upon State Grand Lodges, and having been passed by the same body at the same session, must receive such a construction as will allow them both to stand, and give full force and effect to each, if possible.

2255. Upon the question of establishing and maintaining these Homes, the Sovereign Grand Lodge passed the first of these resolutions, which of itself clearly confers the power upon State Jurisdictions to create and maintain these Homes. The authority to create and maintain, necessarily carries with it the power to raise money to establish and maintain Homes; for without the power to raise money for this purpose, the authority conferred would be ineffectual. By this first resolution it was left to State Jurisdictions to determine and pass upon the necessity for the establishment and mainte-

nance of such an institution. When the State Jurisdiction has passed upon this question and determined the necessity to exist, it is then left to that jurisdiction to determine the manner of establishing and the means of maintaining the Home. This resolution is a delegation of power to the State Jurisdiction, and there is no limitation of this power except in the Constitution and By-Laws of the State Grand Lodge and the will of the Grand Lodge itself. The preambles to the resolutions show beyond peradventure that their intent was to enable Grand Lodges to raise funds for the purposes enumerated. It will be seen that the very object of the resolution, expressed in the preambles, was to settle beyond all question and doubt the right and power of Grand Lodges to raise funds for the purposes named. To hold, therefore, that the resolution does not carry with it this necessary incidental power would be to fly in the very face of the statement of the purpose intended to be secured by the adoption of the resolution.

2256. The Grand Lodge cannot lawfully authorize or recognize the organization, under the laws of this State, of a corporation to own and conduct a Home for the aged and infirm Odd Fellows, or the widows and orphans of Odd Fellows, over which the Grand Lodge would not have full control by reason of a provision that any person or number of persons may become members of the corporation, and vote for and elect the directors, which directors have the exclusive management and control of the corporation, conducting its business, controlling its property and appointing all officers, agents and servants, removing them at pleasure, fixing their compensation and prescribing their duties. The Grand Lodge cannot levy a per capita tax for the maintenance of such a Home, nor can it permit its subordinates to appropriate their general or widow and orphans' fund for its support.

2257. The Grand Lodge can only authorize the creation of, or recognize a corporation for the purpose of promoting, locating and controlling an Odd Fellows' Home of any kind in accordance with the general laws of the Order, and when created, such Home must be subject to the control of the Grand Lodge at all times. It cannot legally provide that such Home, when created, shall be "free from all interference, except upon the part of the Grand Lodge in session assembled."

2258. The Grand Lodge may create a benevolent corporation, under the laws of the State, for the purpose of erecting and managing a Home exclusively for aged Odd Fellows, or widows or orphans of Odd Fellows; provided the same is to be under the control of Trustees elected by the Grand Lodge, who, in turn, are both members and Trustees of the Grand Lodge.

2259. The Grand Lodge may erect or recognize a benevolent corporation, under the laws of the State, for the above named purposes, to be composed of the voluntary membership of Lodges which may join, these Lodges being subject to certain dues; and when this corporation has been brought under the control of the Grand Lodge, the fact that a corporation composed as aforesaid is not under the entire and complete control of the Grand Lodge, does not prevent the Grand Lodge from donating to it a sum equal to say ten cents per member for this year, and increasing its per capita tax accordingly.

2260. While in the exercise of these powers to establish and maintain Homes the Grand Lodge has the right to use benevolent corporations organized under the laws of the State, the members of these corporations must, however, be Grand Lodge Trustees, or Grand Lodge Representatives, Lodge Representatives, or such members of the Order, members of the Grand Lodge, as will be subject to its control and direction, thus directly bringing the corporation into the relation of a subordinate to this Grand Lodge.

2261. The question of establishing and maintaining these Homes has been delegated to, and vested in, Grand Bodies. This power necessarily implies the power to raise money for the support of such Homes by a per capita tax, or such other form of tax levied against their subordinates as

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the Grand Bodies may determine to be consistent with the welfare of the Order in their respective jurisdictions. In the case under consideration the Grand Lodge has done that which it had a right to do in making a donation of a sum equal to ten cents per member for this year, and directing its Finance Committee to make proper provision for the same.

2262. That in the discharge of the sacred duty to care for the aged and infirm, the widows and orphans of Odd Fellows, the Grand Lodge has the legal right and full power to make reasonable and necessary assessments upon its subordinates to provide and maintain Homes for such dependents, is a correct exposition of recent legislation of the Sovereign Grand Lodge; but from facts brought to the attention of the Sovereign Grand Lodge, this is a power in the exercise of which much caution and deliberation should characterize the action of the Grand Lodge.

2263. While it is obvious that if the Order is to accept aid in the maintenance of Homes, only when it comes by way of donations that are without restrictions of any kind, it will shut itself out from the benefit of the liberality and benevolent intentions of many friends of our Order, as it is a rare thing to find any one donating valuable property to benevolent purposes without restriction of condition, or without throwing about the grant such safeguards and means of control as, in the estimation of the donor, may most certainly and effectually secure the intent of the donation, Nevertheless, if the acceptance of the gift will necessitate an increased per capita tax burden upon the Lodges, the acceptance should be the result of much caution, and careful consideration and deliberation on the part of the Grand Lodge; but, having accepted the gift, with all its conditions, it is not the province of the Sovereign Grand Lodge to question the wisdom of the action of the Grand Lodge; provided, that it does not violate the laws of the Order.

[Note.—In order that there may be a proper understanding of the general laws relating to the Homes of the Order, so far as they bear upon the several Homes in Pennsylvania it is necessary to present here the following obsolete or repealed law of the Sovereign Grand Lodge relating to the subject; Sections 2264-2268.]

2264. In 1870. The Sovereign Grand Lodge adopted the following:

As time progresses in the history of our Order the necessity strengthens for making more efficient provision for the support of valetudinary brothers than is made under existing practice. Our present system of weekly benefits is designed merely to afford relief, not support, to sick and disabled members; but the time is rapidly coming, and in the older jurisdictions already arrived, when a class of membership, disabled by age from contributing to their own maintenance, will be proper objects for the special care of the fraternity.

In the days of our present prosperity the Order should be actively engaged in making the most ample provisions for our future needs, and none is more appropriate than the preparation of asylums wherein the brothers worn out by age and infirmity may pass the remainder of their days in quietude and comfort.

The propriety of entering, without delay, into this special field of benevolence and duty is recommended to the earnest consideration of Grand Lodges and Grand Encampments, and to the subordinate bodies throughout the entire jurisdiction of this Grand Lodge.

The Sovereign Grand Lodge has no special form or plan to submit or recommend; circumstances will undoubtedly vary the mode of operation to suit the several localities, and it is better that perfect freedom should be allowed to test the various plans that may be projected, when experience will ultimately decide on the best.

But would respectfully suggest that the small weekly contribution of one cent per week from the membership of the several subordinate Lodges in the whole jurisdiction would amount to the annual income of one hundred and fifty-five thousand dollars, a sum fully sufficient to accomplish the object in view.

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In order that as little time as possible may be lost in proceeding to the work, it is suggested that any number of Lodges in any jurisdiction be authorized to take initial steps toward organizing asylums for aged Odd Fellows in their several localities or jurisdictions.

The subject of schools and asylums for the orphans of the Order is one that is beginning to awaken general attention, and efforts are being made in various jurisdictions to establish institutions that will aid in the execution of the commands of the supreme authority of Odd Fellowship. It is now (1870) thirty-nine years since Maryland entered upon the education of orphans, and the results have been highly gratifying, and should serve as an incentive to other jurisdictions to earnest endeavors in the same direction. It is true that in some States the public schools are of so excellent a character that the ordinary needs of education are amply supplied, but there are numerous cases wherein orphans are compelled to labor for their own support at an age when they should be attending the school. There are others that need the restraining influence of a home and pure associations to enable them to attain to the condition in life that is desirable both for themselves and society. The Sovereign Grand Lodge therefore feels it to be a duty to encourage the establishment of asylums and schools for the protection and education of the orphans of deceased Odd Fellows.

Resolved, That the Grand Lodges be requested to take action at as early a day as possible, and where practicable to provide for the establishment of suitable places where the orphan children of the members of the Order, in their several jurisdictions, may be supported and educated; also for the valetudinary members of the Order, where they may be comfortably supported during the remnant of their days.

Resolved, That in cases where Grand Lodges may omit to take action in relation to either of these objects, any Lodge, or members of Lodges in such jurisdiction are authorized to raise the funds necessary to apply the same in the establishment and support of such institutions or asylums.

2265. This law was accepted by the Grand Lodge of Pennsylvania, and therefore the utmost that the Grand Lodge of Pennsylvania could do, in pursuance of the limited authority vested in it, and in view of the broad powers vested in the Subordinate Lodges by the above legislation of the Sovereign Grand Lodge in 1870, was to approve the dispensation granted by the Grand Master, authorizing conventions of representatives of Lodges to meet and organize a Home, and where it was a Home for Aged Odd Fellows, to permit the Lodges, members of the Homes, to tax their respective members one cent per week for the benefit of the Home.

2266. In pursuance of the legislation of the Sovereign Grand Lodge in 1870, the following Homes were organized in this jurisdiction, viz.:

The Odd Fellows' Home of Western Pennsylvania.

The Odd Fellows' Home of Pennsylvania.

The Home for Orphans of Odd Fellows of Pennsylvania.

Home for Widows and Orphans of Pennsylvania.

These Homes were severally authorized by this Grand Lodge, and the Lodges allowed to associate for the purpose of extending the beneficial operation into fields which time and experience had shown were required, or to carry into living beneficial effect the fourth commandment, which pledges to the orphan the support and care of the Order. In pursuance of this legislation of the Sovereign Grand Lodge in 1870, all these Homes have been established under the authority of this Grand Lodge as an extension of the beneficial system. It is impossible to do this work in the Lodges, and therefore they have been severally authorized to carry it on through their several representatives elected and accredited as such to the respective associations; and for the better carrying out of this purpose, these associations have been severally incorporated under the laws of the State of Pennsylvania.

2267. Notwithstanding the clear terms of this resolution of the Sovereign Grand Lodge in 1870, vesting in the Subordinate Lodges and the individual

members of the Order the authority to establish and maintain these Homes, there was an almost constant presentation of questions involving the right of the Grand Lodges to severally levy and assess taxes to provide suitable places for the education of orphans, and for the establishment of asylums for the aged.

2268. The law of 1870 was repealed, in 1887, by the following resolution, viz.:

Resolved, That State Grand Lodges and Encampments may provide, by Constitutional enactment, for the creation and maintenance of Homes for aged and indigent Odd Fellows; provided, however, said bodies shall not make assessments on their subordinates for the purpose of erecting and maintaining the same.

2269. This law of 1887, in turn, was substantially repealed by the law of 1892, as herein set forth in Section 2253, and as found in Sovereign Grand Lodge Reports, page 13017. The Odd Fellows' Home of Western Pennsylvania, The Home for Orphans of Odd Fellows of Pennsylvania, and The Home for Widows and Orphans of Pennsylvania, have accepted the legislation of 1892, and have become purely representative institutions; excepting, of course, those life members that were admitted prior to their several acceptances of the legislation of 1892, which life memberships, having been acquired in pursuance of the express provisions of the legislation of the Sovereign Grand Lodge in 1870, are necessarily protected.

2270. Inasmuch as the Odd Fellows Home of Pennsylvania has obtained vested rights under the legislation of 1870, it would appear that until the Grand Lodge directs otherwise, in determining the rights and privileges of this Home, it will be necessary to consider the law of 1870 as still in force, as the Grand Master has no power to interpret the law as it applies to an act already committed by the Grand Lodge.

2271. In pursuance of the powers vested in the Grand Lodge, the following Homes have been established in this jurisdiction:

The Odd Fellows' Home of Pennsylvania, located southeast corner Seventeenth and Tioga streets, Philadelphia; chartered in Philadelphia County, July 10, 1875; owns, in fee, a large corner lot property, with suitable buildings thereon, valued at $56,500, and maintains 61 aged brothers.

The Odd Fellows' Home of Western Pennsylvania, located at Meadville; chartered by Act of Assembly, April 3, 1872; owns, in fee, eight acres of land, with suitable buildings thereon, valued at $47,200; maintains 35 boys and 25 girls.

The Home for Orphans of Odd Fellows of Pennsylvania, located at Twentieth and Ontario Streets, Tioga, in Philadelphia County, Philadelphia, chartered December 15, 1883; owns, in fee, large corner lots, with two buildings thereon, valued at $43,954; maintains 33 boys and 25 girls.

The Home for Widows and Orphans of Odd Fellows of Pennsylvania, located at Ben Avon, Allegheny County; chartered by the Allegheny County Courts, March 8, 1890; owns about one and one-half acres of land, with large buildings erected thereon, valued at $40,000; maintains 30 boys and 31 girls.

The Odd Fellows' Orphans' Home of Central Pennsylvania, located near Sunbury; chartered by the Courts of Northumberland County, January, 1897; owns, in fee, one hundred and seventy-six acres of land, about two-thirds of which is tillable, with frame (slate roof) building thereon, valued at $20,000; maintains 40 boys and 25 girls.

The Odd Fellows' Home for the Aged and Infirm of Pennsylvania, located at Grove City; owns, in fee, a property called "Wayside Inn," which cost, without any furnishings, $31,304.03, together with a large farm; maintains 15 inmates.

The Rebekah Home, located northeast corner Seventeenth street and Allegheny avenue, Philadelphia; owns, in fee, a corner property, valued at $10,000, subject to a mortgage of $5,000; maintains 10 aged sisters.

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2272. From the foregoing it will be seen that whilst these Homes are all of the Order, and for the Order in Pennsylvania, they are all separate corporations.

2273. The Orphans' Homes are the only ones supported by the Grand Lodge. The Odd Fellows' Home of Pennsylvania was granted authority by the Sovereign Grand Lodge resolution of 1870, to permit the Lodges members thereof to levy a tax of one cent per week upon their members for the support of the Home, while Homes authorized by the Grand Lodge since 1892, to care for and maintain aged and infirm Odd Fellows of Pennsylvania, have authority to collect as dues from the Lodges which voluntarily join the Home, a sum not exceeding one cent per week per member, and the Lodges joining the Home as aforesaid are hereby authorized to charge their members an additional sum per week for dues for this purpose, not exceeding in the aggregate the said one cent per week. Provided, that each Lodge incorporate this provision in its By-Laws in accordance with the Laws of the Order and the regulation of its own By-Laws relating to the subject of amendments.

2274. The Rebekah Home depends upon voluntary contributions.

2275. The Odd Fellows' Home for the Aged and Infirm of Pennsylvania provides in its By-Laws that each Lodge a member of that corporation shall pay quarterly seven cents in January, and in April, July and October, six cents for each member on their roll of membership for the preceding quarter.

2276. When the Meadville, Philadelphia and Ben Avon Homes were severally incorporated, they permitted individuals to subscribe and thereby become associated in the management. This was not in accordance with the requirements of the Grand Lodge, for the Lodges to associate through their representatives, and has been corrected, so that now all the Orphans' Homes are purely representative institutions.

2277. It has been thought that inasmuch as Homes are incorporated, that therefore they are not subject to the veto of the Subordinate Lodges, or to the legislative direction of this Grand Lodge, or to the executive supervision and care of its officers, the same as the other subordinate bodies working under and by authority of this Grand Lodge. Than this there can be no greater error. The form of government has nothing to do with the matter. Those in the corporation, in whatever capacity, are not there by personal right, but as the representatives of the Lodges and other Subordinate Bodies who subscribed thereto. The act and voice of the corporation is, therefore, but the collective voice and act of the Lodges, subject to their control and direction, and as these Homes are subordinate to the Lodges, who, in themselves, are subordinate to the Grand Lodge, and directly or indirectly, the Homes are ultimately subject to the same supervision and directing care.

2278. In case of dispute in these corporations, the appeal must be to the Lodges, or, where there is a violation of the resolutions of this Grand Lodge, or the laws of the Order, to the Grand Master in recess. Any attempt to transfer the controversy to the civil courts would be a violation of the law prohibiting appeals to the civil courts until all the remedies in the Order have been exhausted. It is important that this principle should be clearly enunciated; hence the duty of clearly asserting the authority of this Grand Lodge as the final arbiter in the settlement of controversies or disputed questions that may involve the reputation, discipline and name of the Order in Pennsylvania, and to prevent the public scandal that would arise, and the bad feeling that would be engendered by rushing into civil courts and the public print with matter of purely internal management, and that alone concerns the Order, and for which it has adequate remedies of correction and discipline.

2279. The controversy between the Odd Fellows' Home of Pennsylvania and one of its auxiliary Committees called the Ladies' Auxiliary Association,

and the Rebekah Home, as to the ownership of certain funds was appealed to this Grand Lodge, and finally settled in accordance with its direction.

2280. These corporations are authorized by this Grand Lodge for the purpose of perfecting the beneficial system on lines that were not possible of attainment under the individual Lodge system, and the pages of the reports from year to year, and the records of the office are full of precedents, showing that these institutions are doing noble work, under the authority granted by this Grand Lodge, and in a manner consistent with the statement that the Grand Lodge is the fountain of their authority.

2281. In 1894 the Grand Master had presented to him the question as to how far the Grand Lodge had secured control over these institutions. Although the record does not disclose it, yet it is matter of common history that at that time the Philadelphia Home acknowledged the right of the Grand Master to interfere, and in case of complaint the Home appointed a Committee of Investigation, the same as would have been required in a Subordinate Lodge. And in a more recent controversy in the Ben Avon Home, concerning the admission of an orphan, acting under the direction of the Board of Grand Officers, the Grand Master directed them to follow the same course, which the Home voluntarily did.

(b). Homes for Aged and Indigent.

2282. A Lodge, by a majority vote, can become a member of an Odd Fellows' Home of Pennsylvania, and may contribute from its funds or assess its members for the support and maintenance of said Home.

2283. It is not legal for the Grand Master of the Grand Lodge of Pennsylvania to give permission to circulate among the Lodges of his jurisdiction a petition asking the Lodges if they are willing to provide the means by which aged brethren who are worthy and in need of a home can be provided for upon a plan which is expressed in the following language: "We think if each Lodge would pay into the Grand Lodge of Pennsylvania one cent per member per year, it would accumulate a fund each year of about $1,000, which would be used for the purpose of paying for the support of about five aged brothers in the Home of the Order, the aged brother to be a member-at-large of the Grand Lodge, and be entitled to visit any of the Lodges in the State, and thus enjoy the social relations that are due him as a member of the Order." Such a petition is not in accordance with the law of the Sovereign Grand Lodge on the subject of relief to aged Odd Fellows, and could not be legally circulated.

(c). Orphan's Homes.

2284. The Grand Lodge divided its Orphans' Asylum Fund between the Home for Orphans of Odd Fellows of Pennsylvania, situated at Philadelphia, the Widow and Orphans' Home, at Ben Avon, and the Odd Fellows' Home of Western Pennsylvania, at Meadville, under an agreement, which these Homes carried out, that their membership, excepting, of course, life memberships then in existence, should be limited to representatives elected by the Subordinate Lodges in this jurisdiction and by Subordinate Bodies connected with the Grand Encampment of Pennsylvania, and Rebekah Lodges; that the Representative of the Grand Lodge should, by virtue of his office, be an officer and member of the Board of Directors, and that neither of the said Homes should ever mortgage their property without the permission of the Grand Lodge, or the Grand Master during recess, and that these conditions must not be changed without the permission of the Grand Lodge. And the Odd Fellows Orphan's Home of Central Pennsylvania in its petition for recognition by the Grand Lodge agreed to be subject to the same rules and regulations.

2285. The following, division of the Lodges in the State to the several Homes was made so as to avoid all of the Homes making appeals to the dif-

ferent Lodges in the State, and so that each Home shall only appeal to the Lodges in the counties assigned to it:

Philadelphia Home—The Counties of Adams, Berks, Bucks, Chester, Cumberland, Dauphin (south of Peter Mountain), Delaware, Franklin, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia and York.

Ben Avon Home—The Counties of Alleghany, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Clearfield, Fayette, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, Somerset, Washington, and Westmoreland.

Meadville Home—The Counties of Clarion, Crawford, Elk, Erie, Forest, McKean, Mercer, Venango and Warren.

Sunbury Home—The Counties of Bradford, Carbon, Cameron, Centre, Clinton, Columbia, Dauphin (north of Peter Mountain), Juniata, Lackawanna, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne and Wyoming.

2286. In a case where charges had been preferred against a Home, the Grand Lodge referred the matter to the Committee on Homes and Kindred Charities for investigation, and directed that if the said committee find the complaint justified by the facts, the Board of Grand Officers is empowered to withhold the allotment of orphanage dues which would otherwise be paid to the Home, until such objectionable methods are abandoned.

2287. The following are the standing resolutions concerning the distribution of the Orphans' Home per capita tax:

Under the Constitution for Subordinate Lodge in Pennsylvania, provision is made for a per capita tax system of dues, amounting to twenty-five cents per year, for the support of the Homes for Orphans of Odd Fellows, and it is made the duty of this Grand Lodge to direct its distribution; this subject has been brought to the attention of the committee on Homes and kindred charities by the Grand Officers, and some considerable study and discussion of it has been made in connection with the Grand Officers, and the committee has considered it in duty bound to thoroughly canvass and study the subject, and endeavor to present for your consideration our conclusions as to the best method of making the distribution among the Homes upon just and equitable plans, and also throw around the subject guards that would offer no inducements or encouragement for either the accepting of orphans as inmates, perhaps for a short time only, or the declining of deserving applicants. It is readily seen that a distribution by territory or district would be open to the latter objection, and that a distribution according to the number of inmates at a given time during the year, might be open to the former.

2288. As the expenses of all Homes have a natural or basic expense, aside from that connected with the number of inmates, we think that should be first taken into account, and a certain amount should be given each Home to meet, at least in part, this first, or basic expense, and that the balance should be distributed upon a percentage plan by taking into consideration at the close of each year, the number of orphans and the number of weeks each was provided for at each Home, and distribution of the fund remaining after deducting the basic expense allowance as the aggregate number of weeks' support to orphans given by each Home bears to the total aggregate weeks' support given by all the Homes to orphans, and we so recommend its distribution, after deducting and allowing to each Home the sum of eight hundred dollars as the first or basic expense. To enable the Board of Grand Officers, whom we think are the proper persons to make this distribution, to do so, we recommend that each Home shall make report to the Grand Secretary at the close of each year, giving in detail the orphans under their care and charge during the year, with dates and number of weeks. This will enable the Board of Grand Officers to carry out promptly a distribution of the funds directly after the first of January, 1898, when it will be sorely needed by the Homes, and yearly thereafter.

2289. "We further recommend that for the present, at least, the orphans needing our fraternal care and fostering aid be kept at the Home located in

their respective districts as now divided." Which was amended by adding after the word "Homes" in the last line, the words "and that no money be paid to any Home that has not complied with the rules and laws of the Order."

2290. The Grand Lodge has always insisted on its right to compel the managers of the Homes to take a child into a Home with or without their consent.

2291. As to the proposition to establish a Manual Training School, the Committee on Homes and Kindred Charities presented no plan upon which this could be effected, and the directors of the several Homes were unanimous in their expressions against the proposition. A manual training school "is designed to develop the motor and executive sides of a child's nature, and fits young men for higher technical training." In view of the very small percentage of the orphans (there being now not over six boys in all) who would be enabled to be thus benefitted, the purchase of ground, erection of buildings and maintaining a corps of competent instructors, would involve an expenditure wholly unwarranted. At present the children who are fitted for higher education are afforded the opportunity in schools adjacent to the Homes; whilst for others, at proper age, opportunities are obtained to learn trades or occupations with which to engage in the battle of life. The recommendation is in every sense inexpedient, and should not be adopted.

(d). Reports.

2292. The Grand Secretary is required to procure from the Homes and Asylums belonging to the Order within this jurisdiction such information as the Grand Secretary of the Sovereign Grand Lodge may desire, and forward the same to that officer, who shall incorporate a synopsis of the same in his annual report.

2293. In order to be able to present for the information of the Sovereign Grand Lodge and other interested persons reliable facts and data, the Grand Secretary of the Sovereign Grand Lodge is directed to send out to all the Odd Fellows' Homes and kindred institutions a form of report. which will show, in addition to present information, the following:

1. The Average number of residents during the year, that is. the number of days each resident has been in the Home or similar institution during the year divided by 365.
2. Number of old men, old women, boys, girls?
3. Amount per capita paid by the members of the Subordinate Lodges, and amount in the aggregate?
4. Amount from other sources, mentioning them?
5. Amount of money, or value of property, contributed by Rebekah Branch, each stated separately in aggregate?
6. Salary of Superintendent and Matron?
7. Total wages of household servants?
8. Total wages of help for outside work?
9. Amount of money spent for actual maintenance of residents; not to include improvements to property or repairs?
10. Amount spent on permanent improvements to property?
11. Amount of money spent for repairs?
12. How many of the residents labor at productive work, and value of output?
13. Do they receive any remuneration for their labor; if so, how much?
14. Is any effort made to teach the boys and girls useful trades or domestic work; if so, to what extent?
15. Do the boys and girls receive regular education, and to what extent?
16. Charges, if any, for residents per week, for old men, old women, boys, girls?
17. Do you furnish clothes, tobacco, medicines and services of physician? If so, are they free of cost?
18. Value of product of farm or garden used in Home?
19. Value of product of farm or garden sold?

HOMES—Reports.

20. Is value of products used figured in cost of maintenance?
21. Are premises insured?
22. Are you equipped with fire escapes from upper floors?
23. What amount of money have you at interest as an Endowment Fund?
24. For what purpose is the interest used?
25. Explain the procedure by which a person obtains admission to the Home.
26. What provisions are made for giving attention to the sick?
27. Do you cultivate all your land?
28. Does it pay?
29. What are the net receipts from land?
30. And such other pertinent information as the Grand Sire deems necessary.

From such facts the committee will be able to collate and tabulate very valuable information, of great interest to those interested in present Homes, and of inestimable value to those contemplating the establishment of others.

2294. The Grand Lodge requires the Orphans' Homes to make the following annual report, in duplicate, one copy to be sent to the Grand Secretary and the duplicate to be sent to the chairman of the Committee on Homes and Kindred Charities.

1. No. of child?
2. Name of child?
3. When admitted?
4. Date of birth?
5. Age when admitted?
6. Date of father's death?
7. Date of mother's death?
8. Name of Lodge?
9. No. of Lodge?
10. County?
11. Present age of child?
12. Maintained—Weeks? Days?
13. No. of days absent, where the absence is one week or over.
14. Remarks?

2295. Form for endorsement in the back of the annual report of the Orphans' Homes:

Annual Report of.....19...
We certify that the within report is correct.
....., President.
....., Secretary.
State of Pennsylvania, County of....., ss.
....., President of, being duly sworn, according to law, doth depose and say: That the facts set forth in the foregoing report are just and true, and that the same was approved by a resolution of the Board of Directors of said Home on January....., 19....
....., President.
Sworn and subscribed before me this.....
.....

HONORARY MEMBERSHIP.

2296. There can be no such thing as honorary membership of the Order obtained in any way other than by Veteran Membership.

2297. A member sixty years of age, who has been a contributing member for twenty-five consecutive years cannot be suspended for non-payment of dues, but shall be retained as a quasi-honorary member, and as such be entitled to the pass word and fellowship in the Lodge. He is hailed as a non-contributing member.

HONORABLE VETERAN.

2298. The Honorable Veteran Jewel I. O. O. F. shall be furnished and sold to members in good standing who have held continuous membership in the Order for fifty consecutive years or more, and in the same manner and on the same terms as the "Veteran Jewel I. O. O. F." is now sold and distributed. It is furnished only by the Sovereign Grand Lodge through its Grand Secretary, upon the certificate of Subordinate Lodges and the order of the State Grand Secretary, when accompanied by the cash.

[For an exposition as the continuity of membership required and other rights incident to the Honorable Decoration, see Veteran Jewel.]

HONORS OF OFFICE.

2299. Any Officer of a Subordinate Lodge who shall serve in any office therein, either elective or appointed, for a term or a part of a term, and to the end thereof, as provided by law, shall be entitled to all the rights, privileges and honors conferred for faithful service in such office for a full term. The service for part of a term to entitle to honors is in cases where vacancies are filled.

2300. Any member who has been duly elected or appointed to fill a vacancy in any office in a Lodge who shall have served a majority of the meeting nights remaining in such unexpired term and to the end thereof, shall be deemed to have served a full term in such office.

2301. An officer who by reason of sickness was compelled to be absent, for which sickness he was from time to time excused, so that he could not perform his duties for a majority of nights in a term, is nevertheless entitled to the honors of office. If the nights actually served as Noble Grand would not make the majority of the nights, and if it should be necessary to include some of the nights when he was absent under excuse, if the minutes do not show that he was excused, or under leave of absence, then the Lodge should, by some action taken, show that he was excused, or under leave, if such was the case, as the certificate of the Secretary under seal would not be sufficient, if the minutes did not show the granting of such excuse or leave. The certificate of the Secretary, to be of force showing this state of the record should be executed by authority of the Lodge. When the facts are as stated, it is proper for the Lodge to take some action showing it and authorizing the certificate of the Secretary.

2302. The sickness must be his personal affliction, not that of some member of his family, or by reason of a quarantine of his place of residence, or for any other cause not his own sickness.

2303. Absence attending to the sick, absence from the place where the Lodge meets and the brother resides, unusually inclement weather and the like are not such excuses for absence as will enable the Lodge, by excusing him, to entitle him to the honors of office.

2304. When a Noble Grand obtains leave of absence from his Lodge for three months and overstays his time, being absent for the majority of the nights of the term, and his office is declared vacant by a vote of the Lodge, and a Past Grand re-elected to fill his vacancy, the Lodge cannot, by the resignation of the latter and the re-election of the former for the remainder of that term, make him a Past Grand, entitled to the honors of a Past Noble Grand, as this would permit him to take advantage of his own wrong, and accomplish indirectly that which the law prohibits him from doing directly.

2305. An officer who resigns before the end of the term is not entitled to the honors, though he serve a majority of the nights of the term; but he does not forfeit the salary, if any attached to the office, so far as it may have been earned.

HONORS OF OFFICE.

2306. When a Subordinate Body fails to hold meetings for the majority of the meeting nights during the term the officers thereof are not entitled to honors.

2307. The officers of subordinates, where meetings are forbidden by government quarantine for the major part of a term, are entitled to the honors of office, if they are present at the meetings permitted during the term.

2308. Any dispensation of a Grand Master or Grand Lodge to dispense with the regular meetings of a Subordinate Lodge is illegal and cannot be exercised. But if circumstances over which the Lodge can exercise no control shall occur by which the meetings cannot be held, the Junior Past Grand should not, from that fact alone, be disqualified from admission into his Grand Lodge. If, however, the meetings of a Lodge are suspended by its own seeking or application, for causes over which it could exercise control, and the Lodge fails to comply with the requisites of the law, the officers of the Lodge for the term would properly be deprived of their honors; provided, such suspension prevented the officers from serving a majority of the nights of the term.

2309. The suspension of an officer for cause in his subordinate vacates his office, no matter how short the period of suspension may be for, and he can gain no honors through the service in office during that term.

2310. The suspension of an officer of a Subordinate Lodge for cause, even though but for three months, vacates his office, and the Lodge may fill such vacancy.

2311. An elective officer of a Grand Lodge who is suspended for cause in his Subordinate Lodge thereby vacates his office in the Grand Lodge, and upon the termination of the suspension he is not restored to his office, unless the Constitution of the Grand Lodge expressly so declares.

2312. The election and installation of officers, held and performed by a Lodge during its suspension or expulsion, cannot be recognized as legal by a Grand Lodge; nor can a Grand Lodge allow to persons who were elected to and installed in office and whose terms expire during the suspension or expulsion of the Lodge the honors of the term.

2313. If a vacancy occurs in an elective office by death, resignation or disqualification, the vacancy may be filled by a new election, or the duties of such vacant office may, in some instances, be performed by the officer next in rank. If the duties are performed by the officer next in rank, he is entitled to the honors of the office to which he was elected, and not to the honors of the vacant office.

2314. If the vacancy is filled by a new election, the officer elected and performing the duties of the office for the remainder of the term will be entitled to the honors of the office to which he was elected, though it may be for less than half the term. The officer who shall resign or be removed for any cause is not entitled to the honors.

2315. The established law of the Grand Lodge requires the service of at least a majority of the nights of a term in any office to entitle officers to the Past Official Degree; and a resignation of the incumbent at any time previous to the expiration of the term works a forfeiture of the degree.

2316. Unless an officer is present in the Lodge room a majority of the meeting nights of his term (unless excused for his own sickness), he is not entitled to the honors of his office.

2317. Honors of the Order are for those only who earn them by services in offices to which they have been elected, and in which they have been installed.

2318. Grand Bodies cannot decree brothers entitled to honors they have not earned, nor can Subordinate Lodges elect them thereto, the Grand Lodge

HONORS OF OFFICE.

Degree having been designed as a reward for faithful service in a Subordinate Lodge.

2319. It is fundamental that the regular meetings of a Lodge shall be once a week, and twenty-six of these constitute a six months' term. No Noble Grand is entitled to honors, that is, to rank as a Past Grand, until he has served at least fourteen weeks in the chair of Noble Grand, and until the end of the term.

2320. By voluntarily withdrawing from the duties of a station, an officer forfeits the honors thereof, and the successor who fulfils the duties for the unexpired term becomes entitled to said honors.

2321. The term of office to entitle a Grand Officer to the honors of office is one year, and he must serve until the end thereof, the exception being that the successor of a Grand Officer who is regularly appointed or elected and installed, and who fulfils the duties of the unexpired term becomes entitled to the honors of the office.

2322. The term of service to entitle a Subordinate Lodge Officer to the honors of office is six months, and he must serve at least fourteen meeting nights, and until the end of the term, the exception being that the brother who is elected or appointed to the vacancy, as the case may require, and fulfills the duties for the majority of the meeting nights remaining in the unexpired term and to the end thereof becomes entitled to the honors of the office.

2323. All this must be considered as having reference to the manifest condition that the brother shall have been regularly and properly installed into his office, whether for the full or unexpired term.

2324. "By the ancient laws and usages of this Order, three things must concur in order to entitle any person to past official honors, viz.:

"1. He must be lawfully elected or appointed to the office.

"2. He must be lawfully installed therein.

"3. He must serve therein until the end of the official term or portion of a term for which he has been so installed. In case such officer is selected and installed to fill a vacancy and serves for the unexpired term, however short that may be, he is entitled to the honors of that office, though the portion of a full term during which he serves be less than half thereof. These principles are as applicable to officers of a Grand Lodge as to officers of Subordinate Bodies." (See Deputy Grand Master.)

HOSPITAL.

2325. A brother sick in a hospital, if in good standing, is entitled to receive sick benefits.

2326. A soldier sick in a hospital for soldiers and there supported is entitled to benefits, if in good standing.

2327. A sailor sick in a government hospital is, if in good standing, entitled to sick benefits.

2328. Lodges are not required to pay nurse hire at so much per night, though the By-Laws so provide, if the sick member is in a hospital and not sick enough to require all the attention of one nurse when the rules of the hospital forbid any except their own nurses to care for patients, and allow only one nurse at night for the whole ward. The local law governs as to whether a Lodge must supply a nurse for a sick brother in a hospital.

ILLEGAL ADMISSION TO MEMBERSHIP.

2329. It is now settled that mere irregularities without fraud do not vitiate an admission, and that an illegal admission by card is void.

2330. After the initiation of a candidate, who is illegally or fraudulently elected, if the applicant is innocent of any misrepresentation, and the illegality has been confined to the Lodge, in the true principle that the Lodge should not take advantage of its own wrong, he shall be protected in his membership the same as if legally initiated. If he has been guilty of fraud, his initiation cannot be declared void, as it might be construed as releasing him from his obligation, which, perhaps, would also be considered void if the whole initiation was; but in such a case he can be expelled therefor, after proper trial.

2331. A brother unlawfully initiated is a member of the Order and entitled to all rights and privileges until his membership is terminated in a lawful manner.

2332. A member of a Lodge removed from his jurisdiction and took a Withdrawal Card, which he suffered to expire without depositing it. After this, and while he remained a permanent resident of the jurisdiction to which he had removed, he applied to his old Lodge for admission to membership and was admitted to membership without the consent of the jurisdiction of which he was a resident. In this case the applicant knew, or was bound to know, what the law was, and that his membership was illegal. The Lodge also knew, or was bound to know, what the law was. Held that both the Lodge and the brother having been guilty of wrong, his membership was illegal and he was not protected. His status was, therefore, that of an Ancient Odd Fellow.

2333. Where a brother was initiated into a Lodge without the consent of a Lodge nearer his residence, which had previously rejected his application, he informing his Lodge of his nearer residence to the other Lodge, and a dispensation having been obtained from the District Deputy Grand Master for such initiation; Held that the initiation was illegal, but that the brother, having been initiated innocently on his part, was entitled to remain in the Order.

2334. One who is initiated into the Order through inadvertence, when no application had been made or ballot taken, is nevertheless a legal member of the Order.

2335. A person initiated into the Order, who is not qualified under the law, but who is guilty of no deception, fraud or wilful concealment in making his application, can be retained as a member of the Order.

2336. A Lodge having knowingly admitted a non-resident member to membership in violation of its constitution, and having received his fees and dues cannot, when he becomes ill, refuse him benefits and declare his membership void on account of its illegality. The Lodge cannot take advantage of its own violation of law to escape payment of its debts.

2337. A saloon-keeper, bartender, or professional gambler illegally admitted to the Order and hurt in the course of his business is not entitled to benefits for this injury.

2338. Persons initiated at places remote from their permanent residence, in violation of law, cannot be discharged from their membership, as it might be construed as releasing those persons from all obligations of secrecy. The body acting contrary to law is liable to punishment. The brother is entitled to visit on a proper card, although illegally initiated.

2339. Where a Lodge has illegally admitted a person to membership by initiation, neither the Grand Lodge nor the Sovereign Grand Lodge can legally direct the Lodge to grant a Withdrawal Card without proper application.

ILLITERATE.

2340. An uneducated person who cannot write is not thereby debarred from membership.

2341. There is no law in Pennsylvania making reading a necessary qualification for a Vice Grand or Noble Grand, a brother who is unable to read or write may have, by the assistance of other members, committed the entire Ritual, and thus be better qualified to discharge the duties of Vice Grand and Noble Grand than many other brothers who can read; he is therefore eligible to these offices, if otherwise qualified.

IMMORAL CONDUCT.

2342. Where a member resided in the neighborhood of his Lodge and was guilty of immoral conduct ,and the members were as well aware of his habits before his death as afterwards, and the Lodge suffered the deceased to continue in his immoral conduct until death ensued as a result thereof without charges, it is bound to pay the funeral benefits.

2343. A brother may be refused benefits because of his immoral conduct without charge, trial or conviction for the immoral conduct which occasioned the disability. The question is, are benefits payable, and the result is reached by the usual method of investigation and not by charges and trial; but before refusal the applicant should, in all cases, have an opportunity of being heard.

IMPROPER CONDUCT.

2344. All members of the Order are duty bound, while in the Lodge, to be governed by the well known usages of the Order, and in case of their refusal it is proper to prefer charges against them for conduct unbecoming an Odd Fellow. No member can claim indulgence on account of his official position in the Order.

2345. An appellant had been expelled for using abusive language in the Lodge room concerning brothers, and in refusing to desist when called to order by the Noble Grand and threatened with a fine, saying, "Fire away; I defy you," and continuing his abusive language until the Lodge was closed to end the disturbance. Held that he was properly expelled.

2346. A passionate speech made under great provocation may be justifiable and create no offense against the laws of the Order.

2347. A Lodge has the power to expel a member for introducing a woman of bad repute to an Odd Fellows' Festival, he having knowledge of her character.

2348. Taking part in meetings of Odd Fellows for the purpose of considering the questions of organizing a new Lodge, to be composed, in part, of members of the Lodge of which the accused is a member, who should take Withdrawal Cards for the purpose, is not an offense against the Order.

2349. A member violates no law or obligation in neglecting to answer letters written to him by his Lodge in reference to his claim for benefits, and such neglect is no cause for charges.

2350. A member who shall compose, or write, or print, or sell, or exhibit, or use, or have in his possession, or who shall in any way aid or abet in composing, or printing, or writing, or exhibiting, or using any publication or writing, or other device purporting to be the Unwritten Work of Odd Fellowship, or any part, abbreviation or memorandum of such Unwritten Work, shall be deemed guilty of conduct grossly unbecoming an Odd Fellow, and shall, upon conviction, be expelled from the Order.

2351. A person visiting a Lodge on card, and misbehaving in the meetings, disturbing the order and harmony thereof, or refusing obedience to the Noble Grand, may be excluded from the Lodge, and subsequently denied ad-

mission thereto. This simply extends the application of the Rules of Order for Subordinate Lodges, to visitors as well as to members of the Lodge; an application which seems not only natural, but necessary, when visitors behave in a disorderly and offensive manner, and permits the only penalty which a Lodge can inflict upon visitors, viz.: Denying to them future admission to the Lodge whose courtesy they have abused and whose order aud authority they have defied.

2352. Subordinate Bodies, by existing regulations, possess an inherent right to protect themselves from disorder, the want of decorum and violations of the ordinary proprieties of life, and where a visitor is so disorderly the Lodge may refuse him admission or eject him from the meeting, although such visitor is in possession of the proper card and has proved himself, according to established regulations, and entitled to admission into Lodges and Encampments of any jurisdiction.

2353. A brother was charged with "misconduct" in leaving the Lodge against the protest of one of the presiding officers during a trial at which he was a witness, and pleaded guilty. The fact of leaving the Lodge room at the time and under the circumstances might be misconduct (or conduct unbecoming an Odd Fellow), depending upon the manner and intent of the accused. Intent is the gist of every offense, and the accused must have known what his conduct and intentions were better than any one else, when he pleaded guilty. The conviction was affirmed. The punishment, a fine of five dollars, was not excessive.

INCOME EQUAL TO THE AMOUNT OF BENEFITS.

2354. A member in good standing in his Lodge is entitled to pecuniary benefits while sick and unable to attend to his ordinary avocation, although he may have an income sufficient for his support.

2355. An aged paralytic, who was utterly unable to do any manual labor, but had, from his business, an income equal to the weekly benefits, was entitled to benefits.

2356. The matter of the incorporation of the several Subordinate Lodges in this jurisdiction and the powers, rights and privileges to be thereby granted, so long as the same do not change, alter or interfere with the laws, usages and customs of the Order, are subjects wholly under the control of the Grand Lodge. Sov. G. L. 7822.

INCORPORATION.

See Appendix.

2357. Any Lodge that shall ask for and receive any act of incorporation, whether from the Courts or Legislature, or from any source whatever, shall be deemed insubordinate to, and shall forfeit all the rights granted it by the Grand Lodge.

2358. The Grand Master shall reclaim the charter of any Lodge that has received and refuses to surrender an Act of Incorporation granted by the Legislature or Courts of the Commonwealth.

INFIRMITIES CONCEALED AT TIME OF INITIATION.

2359. A brother was sick from a disease he contracted in the army before he became a member. He stated at the time of his admission that he was not suffering from any disease. An affidavit, upon which he procured a pension from the United States Government was produced, in which he testified that the disease was contracted in the army during the war. Held that this affidavit was sufficient to show that he knew at the time he was admitted that he was suffering from such disease, and benefits were denied him.

INFIRMITIES CONCEALED AT TIME OF INITIATION.

2360. A brother who served in the late war contracted a chronic disease for which he now draws a pension, and who, at the time of his initiation, did not know of the existence of the chronic disease, is entitled to benefits.

2361. When, however, it is found as a fact that the claimant honestly thought he was in sound health when he applied for admission, and he testified "that he considered his health at the time as good as ever in his life," he is entitled to benefits.

2362. When the physical disability was such at the time of initiation that it did not in any way interfere with the candidate following his usual occupation and earning a livelihood, it does not debar from membership or prevent the obtaining of benefits, even for the physical disability which has since progressed so as to deprive the brother of the opportunity of earning a living. But this would not be so if the brother was suffering from an intermittent disease, such as epilepsy.

2363. "This is a claim for weekly benefits, which the Lodge declined to pay, for the reason that the brother stated at the time of his admission that he was not suffering from any disease, and in a claim for pension he admitted that he was suffering from epilepsy at that time and since the war, and therefore he would not be entitled to benefits from such sickness. From the evidence it appeared that the brother was drawing a pension from the United States Government for the same disease, contracted in the army during the late war, for which he now claims benefits, and the Lodge has produced a certified copy from the Pension Office of the Government, showing by the brother's own affidavit, made in his claim for pension, that such is the truth; and further shows that he knew this when he was admitted to the Lodge. The affidavit in his pension claim was evidence enough to show that he knew at the time of his admission that he was suffering from such disease. The appeal was dismissed and the action of the Lodge sustained, for the reason that the brother's own evidence in the pension case shows that he was suffering from the disease while in the army.

INITIATION.

2364. No person shall be initiated as a non-beneficial member or a non-contributing member.

2365. To confer the Initiatory Degree upon an applicant there must be a quorum present at the meeting, the same as for the transaction of any other business.

2366. A person was regularly proposed and elected to become a member by initiation, and a special meeting was called to initiate him, when only four members of the Lodge attended, who, with the assistance of members of other Lodges, initiated him. Held that he was a full member of the Initiatory Degree, but that the Lodge violated the laws and is liable to discipline for conferring the degree with less than a quorum of its members present.

2367. A candidate cannot be lawfully initiated upon the night of his election, except by dispensation.

2368. The customs and usages of the Order prohibit the initiation of a person whose physical deformity prevents a compliance with the requirements and laws of the Order. The decision of the question as to the applicability of the general principles to special cases of partial deformity rests with the local authorities, and especially with the Subordinate Lodge to which admission is asked.

2369. The physical infirmity meant by the preceding section is such as will make the brother eligible for sick benefits. An applicant may have a physical infirmity such as would entitle him to a pension from his government, and yet not impair his health or prevent his earning his livelihood.

2370. The blind, the deaf and the dumb, being incapable of reciprocating the signs and language of the Order, are not admissible by initiation.

INITIATION.

2371. A candidate who receives a serious injury between the time of his election and the time of initiation, is thereby deprived of the right to require the Lodge to initiate him.

2372. Where a person is elected to membership whose physical condition undergoes a material change prior to presenting himself for initiation, the Lodge cannot then be required to initiate him.

2373. As the Lodge has the power to order a new ballot on the charge that it has been deceived as to the state of health of an applicant for membership, he cannot be examined in the ante-room when he presents himself for initiation, except in the manner which our Ritual requires.

2374. A candidate for membership in the Order who has been elected in a Lodge where he resides, cannot legally receive the Initiatory Degree in a Lodge located where he may have a temporary residence, upon the request of the Lodge electing him; but all initiations must take place in the Lodge in which the applicant is elected. The other degrees may be conferred in sister Lodges, or in Degree Lodges, at the request of the Lodge to which the brother belongs.

2375. The initiation is not completed until after the Noble Grand has introduced the candidate to the Lodge, the membership is not completed until the brother signs the Constitution.

2376. Upon receiving the Initiatory Degree, the brother shall sign the Constitution, and his dues shall commence from that date.

2377. While a candidate's application for membership must be received and acted upon at a regular meeting, his initiation may take place at a special meeting called in accordance with the By-Laws.

2378. It is not necessary for the officers to be clothed in the working regalia of their office during initiation, but only in the regalia prescribed for them at initiations, when such regalia is prescribed.

2379. Officers are not required to wear both paraphernalia and regalia during initiations or the conferring of degrees.

2380. A Lodge working in the language of a particular people possesses the right to receive and initiate an applicant who speaks and more thoroughly understands another language, and for the purpose of interpretation and to convey a more complete knowledge of the ceremony, if it be possible, the ritualistic lectures and charges may be delivered in the mother tongue of the applicant; provided always, that the Ritual shall have been published therein, and that the pass words, etc., shall be communicated in English, the universal language for expressing the sounds of such symbolical words.

2381. It is contrary to law, in conferring the Initiatory Degree, to admit to the Lodge room all candidates except one, and after obligating them permit them to witness the initiation ceremony on the other candidate.

2382. Not more than one candidate at the same time can be admitted to any of the ceremonies of the Order, except where permitted by the express terms of the Ritual.

2383. A Lodge cannot legally obligate a class of candidates and then allow them to be seated while one is being initiated. All of the candidates must be given the full ceremony of the Initiatory Degree, which can be conferred on as many candidates at one time as is convenient.

2384. As there is no legislation on the subject, it is within the discretion of the Subordinate Lodge to permit the candidate to stand or be seated during the delivery of the Past Grand's charge.

2385. There is no law which prevents the delivery of the Past Grand's charge by the Noble Grand, although it should be given by a Past Grand if present. Under no circumstances, however, should this charge be given by a Vice Grand; it cannot be given by a Third Degree member.

INITIATION.

2386. The Warden's position is in front of the R. S. to the Noble Grand, and he cannot deliver his charge from any other place without a violation of law.

2387. The Grand Officers as such cannot, after the institution of a Lodge, initiate candidates nor confer the degrees.

2388. An initiation of an unworthy person cannot be declared null and void; he can only be expelled after proper trial upon charges duly preferred and investigated.

INITIATION FEES.

2389. The power to fix minimum charges for initiation and degrees is a matter of local law, resting, therefore, exclusively in the Grand Lodge.

2390. Charges were preferred against a Lodge for the offense of charging less than the Constitutional Initiation Fee, and the committee to whom the charges were referred reported the offense as a "most flagrant violation of the sacred obligations, as well as the Rules and Regulations of the Order, and setting an example of insubordination that merits the condemnation of the Grand Lodge." Whereupon the Grand Lodge adopted the following resolution, viz.:

"Resolved, That from this time forth, should this Lodge, or any other in this jurisdiction, be guilty of a similar violation of the Constitution—no matter under what plea, or by what resolution the act may be inaugurated—the fact, if proven, shall be deemed so grave an offense as to make it obligatory on the Grand Officers to reclaim the charter of any Lodge or Lodges so offending.

2391. In all cases the whole Initiation Fee must be paid by the candidate out of his own separate funds, and neither the Lodge, nor any combination of its members, can unite for the purpose of raising a fund, out of which donations may be made to aid candidates in being admitted without payment of the full fee themselves.

2392. Should a Lodge, in a direct or indirect manner, or by any evasive measures initiate candidates without requiring from them the full payment of the initiation fee prescribed by the Constitution, or shall it return any portion thereof to the candidate, it is good cause to declare the charter of the Lodge forfeited.

2393. The Lodges are admonished that this provision of the law, so essential to the harmony of the Lodges, must be rigidly enforced. Honest rivalry and fair competition in the race for increased membership must not be permitted to degenerate into an undignified cheapening of the privileges of Odd Fellowship, or to violation of the laws and solemn obligations.

2394. A Lodge adopted the following resolution: "Any person becoming a member of this Lodge, whether by initiation, card or otherwise, shall, at the time of making application, cause to be paid into the hands of the Secretary, the following sums in cash: If under 40 years of age, $1.50; between 40 and 45 years of age, the sum of $3.00, this money to be considered a part of his initiation fee, and as security for the remainder, he shall, at the time he signs the Constitution and By-Laws, give to the Secretary a due bill for the difference between the cash payment and the full amount of the fee as prescribed by the By-Laws; this due bill will become payable at the time, when, by reason of his first sickness or disability, he has a claim upon the Lodge for benefits; or should a brother so admitted to the Lodge desire to withdraw by card, his due bill must then be paid in cash before the card can be granted." It was held that this brought the Lodge within the terms of the law which provides "That any Lodge in this jurisdiction proven guilty of such violation of the Constitution, no matter under what plea, or by what resolution, the act may be inaugurated, the fact, if proven, shall be deemed so grave an offense as to make it obligatory on the Grand Officers to reclaim the charter of any Lodge or Lodges so offending."

INITIATION FEES.

2395. A brother who misrepresents the amount of the initiation fee to be paid by an applicant makes himself liable to charges and discipline.

2396. A brother was reinstated on July 8th by a vote of the Lodge, but did not pay his reinstatement fee until September 16th. His membership dates from the time he paid his reinstatement fee, September 16th.

2397. Every one who joins the Order must pay at least the minimum initiation fee, and when the By-Laws of a Lodge fixes a greater sum, then he must pay this sum, any agreement or representation to the contrary notwithstanding, or either his membership will not be complete, or he will not be in good standing. A Lodge which encourages or aids such violations of the law is subject to charges and discipline.

2398. An initiate has necessarily and without mental reservation obligated himself to abide by the laws, rules and regulations of the Lodge to which he has been admitted, as well as of the Grand Lodge to which his Lodge is subordinate, and in pursuance of this he signed the Constitution, which, together with the By-Laws passed in accordance therewith, have thereby become the contract between him and the Lodge. If, therefore, he expects performance by the Lodge of its part of the contract, he must not evade any of its plain requirements, among which are the provisions relative to the payment of the initiation fee.

2399. A Lodge cannot legally charge for the fractional part of a year where the By-Law provides that when the applicant for initiation is between the ages of thirty and forty years, fifty cents additional shall be charged for each year between those ages.

2400. The question was asked, that when a By-Law provides that the fee for initiation between thirty-five and forty years shall be ten dollars, and between forty and forty-five years fifty cents additional shall be charged for each year, shall the fifty cents be charged when the applicant is forty or forty-one years of age? It was decided that the fifty cents additional should be charged if the applicant is forty years of age, for he is then no longer between thirty-five and forty.

2401. A Lodge initiated a man forty-eight years old. The initiation fee was $19.75. By an error of the Secretary the candidate was charged only $11. The candidate gave his age correctly, and it was through no fault of his that the mistake was made. Two years elapsed before the error was discovered. The Lodge cannot charge him at this time with the balance of the initiation fee; the error being made by the Secretary and through no fault of the member, his membership cannot be afterwards disturbed on account of such error.

2402. The payment of a reinstatement fee need not precede the ballot; but after a favorable ballot the payment of the fee is necessary to consummate the reinstatement.

2403. Any person residing in one jurisdiction and joining a Lodge in another jurisdiction, whose fee for admission to membership, either by initiation or deposit by card, are less than the minimum fees charged in his own jurisdiction, shall pay to the Lodge he so joins the amount of the minimum fee charged in his own jurisdiction, and the Lodge which he joins shall pay the excess thus collected over to the Grand Lodge of the jurisdiction in which he resides. When permission is given for non-residents to join the Lodge out of his jurisdiction, he must pay the fee required by the Lodge nearest his residence, if it be greater than that of the Lodge he joins, and such Lodge shall pay the difference to the Grand Jurisdiction where he resides.

2404. Whether the proposition fee shall be turned in with the receipts of the Lodge for the evening to the Treasurer, or be held by the Secretary until the applicant is elected or rejected, is a subject for local legislation.

INITIATION FEES.

2405. A Past Grand makes application to be admitted as an Ancient Odd Fellow; he does not deposit the admission fee at that time. At the next meeting night, at which he was elected, he paid a fee of two dollars, which amount the Secretary stated was, in his opinion, the amount provided by the By-Laws, while, in fact, the amount was two and one-half dollars. The question was asked, Is the Past Grand a member of the Lodge, and is he entitled to vote for Grand Officers, he being qualified in all other respects, unless the mistake as to the fee disqualified him? Held that the brother having been admitted to the Lodge, without fraud or unfairness on his part, his membership cannot be disturbed by reason of the cited error of the Secretary. Being a member, the Past Grand has a right, if otherwise qualified, to cast his ballot for Grand Officers.

2406. It may be justly asked, why should an Odd Fellow who has once paid his initiation and degree fees, because of change of residence, be compelled to pay another admission fee if he wishes to remain what he has been solemnly declared to be, one of a great brotherhood? When once a man has joined our Order and been admitted to its charmed circle, that admittance should, as long as he obeys the laws and commands of the Order, be a passport, without additional fees, to the whole world of Odd Fellowship. The sooner this principle is recognized in our membership laws, and every Odd Fellow given be understood that once an Odd Fellow means always an Odd Fellow, that around him has been thrown the sacred influences of our fraternity, not only in spirit, but in law, just so soon will a mighty stride have been made toward that period so eloquently set forth in the Ritual of the Order.

2407. Graded initiation fees are permissible, provided, they, in no case, are less than the minimum required by law.

2408. A Lodge is not authorized to fix different rates of fees for degrees for members of the same age possessing different privileges, and entitled to different rates of benefits where they have attained the same degrees, except in case of non-beneficial membership, as provided by the law of the Sovereign Grand Lodge.

2409. There is no general law that prohibits a Grand Lodge from discriminating as to the amount applicants in the State or out shall pay for admission to a subordinate.

2410. It is legal for a Lodge to fix a sliding scale of initiation fees; that is to say, applicants under thirty-five years of age paying $5.00, with an increasing price as the applicant's age increases, until at say sixty-four, he would be charged $26, in addition to the fixed initiation fee of $5.00. The subject is within the control of the Grand Lodge, and can be regulated by its legislation, and also by provisions accordingly in the Constitution for Subordinate Lodges. The Grand Lodge may provide that the fees shall be uniform, if deemed desirable.

INITIATE.

2411. The present standing of an initiate, or a member of a Degree lower than the third, is that of an Odd Fellow entitled to admission in his Lodge when open in a degree to which he has attained.

2412. It may happen that a Lodge may initiate a brother who has not the necessary qualification for membership; or it may be discovered that he has concealed some infirmities which will make him a charge upon the Lodge, or that his character is not such as would, if known, have secured his initiation into the Order. In either of such cases the Lodge may refuse to confer any additonal degrees upon him, pending the hearing and determination of the charges presented against him.

2413. A brother unlawfully initiated is a member of the Order, and entitled to all rights and privileges until his membership is terminated in a lawful manner.

INITIATE.

2414. If he has been guilty of fraud in gaining admission to the Order, his initiation cannot be declared void, as it might be construed as releasing him from his obligation, which, perhaps, would also be considered void, if the whole initiation was; but in such case he can be expelled, after proper trial.

2415. A Lodge cannot add any qualification to those required by the general laws of the Order as a requisite for membership, nor enact that persons cannot be initiated or reinstated after a certain age.

2416. No peculiarities of religious belief or practice are requisite to admission into the Order, and none disqualify, except a disbelief in a Supreme Intelligent Being, the Creator and Preserver of the Universe.

2417. Should a saloon-keeper, bartender, or professional gambler be inadvertently initiated, charges should be preferred against him and he be expelled.

2418. The officers of a Lodge have no right to initiate a person whom they know to be diseased; but if they do so, they have no right to make any other conditions than those provided for by the general laws of the Order; consequently, if a Lodge initiates a person, knowing him to be unhealthy, the Lodge is liable for the payment of weekly benefits to the initiate when sick.

2419. The Blind, the deaf and the dumb, being incapable of reciprocating the signs and language of the Order, are not admissible to initiation.

2420. A candidate who receives a serious injury between the time of his election and the time of initiation, is thereby deprived of the right to require the Lodge to initiate him; provided, two-thirds of the members present at a meeting of the Lodge shall have voted to declare void the ballot which elected the applicant.

2421. A person elected to membership, but whose physical condition undergoes a material change for the worse prior to presenting himself for initiation, the Lodge cannot then be required to initiate him.

INMATE OF HOME,

See Supported at Public Expense. Homes, Orphans.

2422. The Grand Lodge may provide, by appropriate legislation, that in this jurisdiction, any member of the Order who is now, or may hereafter become an inmate of any Home for aged and indigent Odd Fellows, shall thereby relinquish all claim to weekly benefits from such member's Lodge during the time he shall continue to be an inmate of such Home, and such Home shall continue to receive in its workings and operations the sanction and approval of the Grand Lodge.

2423. If an inmate of a Home shall be a member of a Lodge, which, by the laws and regulations of such Home is not entitled to place therein any of its aged or indigent members; or, if having been, such Lodge shall cease of its own default to be so entitled, then all such relinquishment for weekly benefits authorized by the Grand Lodge as stated in the preceding section, as to that Lodge shall be in favor of such Home, and such Lodge shall pay such weekly benefits to such Home instead of to such member.

2424. In the absence of such legislation, if the brother becomes beneficially sick the Lodge must pay the benefits that have thereby accrued; if the benefits are not due to the brother they are due to the Home, depending upon the legislation of the Grand Lodge on the subject Under no circumstances do they belong to the Lodge.

2425. The Grand Lodge may also provide that if any inmate of such Home shall be a member of a Lodge which, by the laws and regulations of the Home is not entitled to place therein any of its aged or indigent mem-

bers, or if having been, such Lodge shall cease, of its own fault, to be so entitled, then all such relinquishment of weekly benefits as to that Lodge shall be in favor of such Home, and any such Lodge shall pay such weekly benefits to such Home, instead of to such member.

2426. The Grand Lodge is authorized to legislate to permit Lodges to issue orders for pass words to inmates of Homes of the Order who are entitled to such pass words.

2427. A Lodge is bound to give attentive and sick benefits to its members in accordance with the laws of its Grand Lodge, even though such members are offered shelter in a Home of the Order and decline to enter it.

2428. A member of the Order having been duly admitted as an inmate of an Odd Fellows' Home, as such an inmate, in case of sickness he is cared for by the Home, and by the provisions of the general law, the Grand Lodge having so enacted, his Lodge is not liable for payment of benefits on account of his sickness. While an inmate of the Home, after a judicial investigation, he is legally declared insane and committed as such to one of the State Hospitals for the insane. As an inmate of such hospital, the expense of his care and treatment is paid by the town or city in which he has a legal settlement. Being a duly accredited inmate of the Home at the time, it became necessary to transfer him to the hospital for the insane, when his mental condition is restored; his return to the Home follows. The Home is not legally liable for the expense incurred while an inmate of the hospital. On the contrary, while he is an inmate of the hospital for the insane, the relation and liability of the Lodge toward the brother is the same as to its other members under like circumstances. It is liable to pay him sick benefits.

2429. Where a brother is admitted to an Odd Fellows' Home by the request of his Lodge, his income being sufficient to pay the amount per week the Home requires, and the brother voluntarily pays that amount, should the brother be sick and require night care, his Lodge is bound to furnish such care, and if his Lodge pays his board at said Home, his Lodge is under obligations to furnish night care. This answer is based upon the assumption that the brother admitted to the Home was at the time of his admission thereto in good standing, and that the local law authorized the payment of night service, or, in other words, for what is known as attentive benefits; and under such circumstances the Lodge cannot absolve itself from the payment of either pecuniary or attentive benefits. The Lodge is liable to the extent of its legal obligations.

INMATE OF INSTITUTION.

See Supported at Public Expense.

INQUIRIES

See Questions.

2430. An inquiry takes the form of a question to the Grand Master, presented in a proper manner by a Subordinate Lodge, and his reply thereto is a decision.

2431. A communication from a Subordinate Lodge to the Grand Sire as to the construction of a given law is but an inquiry as to what the law is on the subject, and therefore against the provisions of the general law, and cannot be considered by the Grand Sire.

INSANE.

2432. It is the bounden duty of a body to extend to its insane brother the same benefits as are given to those who suffer from bodily infirmities.

2433. An insane brother is not entitled to the term pass word or to the Annual Traveling Pass Word.

2434. An insane brother cannot become in arrears, or be suspended for non-payment of dues which accrued after he became insane.

2435. Any notice, whatsoever, concerning benefits, whether required by the By-Laws of the Lodge or by the general or local laws of the Order, cannot be demanded of an insane brother or one suffering from mental sickness.

2436. An insane brother incapable of performing an intelligent act, cannot be expelled for an infraction of the rules of the Order.

2437. A Lodge is bound to grant a Visiting Card to an insane brother, if in good standing. A brother insane cannot visit a Lodge, and therefore does not need the word; but he requires the good offices of the Order as a sick brother, and these can only be had by a card certifying him to a Lodge where he may temporarily reside.

2438. The endorsement upon the card of the condition of the brother will be sufficient.

2439. The benefits must be paid, even though the brother is an inmate of an institution, and is supported at public expense.

2440. A Lodge may require from time to time (not so often, however, as to be oppressive), but often enough to show that the brother's disability continues), some evidence of the continuance of mental unsoundness.

2441. If a brother has a wife or children the benefits are payable to her or them, to be expended in his behalf, and where the brother has no such relations, the Lodge, and not the legal guardian of an insane brother, has the right to expend, in his behalf, the benefits due the brother.

2442. An insane brother without dependents is entitled to benefits, although he has no family, and the benefits to which he is entitled should be held for his use, or expended solely for his benefit; although now insane, he may recover and then demand his benefits. The Lodge should, therefore, be in a position to show that if not expended for his advantage and comfort, the benefits have been retained and would be given to him. The claim of a father and sister as dependent relatives are too remote, and will not be allowed.

2443. Weekly benefits due an insane brother should be held for his use, or expended solely for his benefit; but any such accrued benefits should, at the death of the brother, be paid to his widow, orphans or dependent relatives, according to the fact. If there be none such, then any such unexpended benefits revert to the general funds of the brother's Lodge.

2444. The Relief Committee of each Lodge shall constitute the Committee or Trustee of any member of such Lodge disqualified, by insanity or otherwise, from asserting his legal rights, and it shall be their duty to disburse the benefits to which such member may be entitled for his support, maintenance and proper care. The acts of such committee shall be binding on the Lodge and member in every respect. Provided, that their account shall be at all times subject to the examination of the Lodge and the Grand Lodge. And provided further, that before any such Committee shall be empowered to act, they shall procure in writing the assent of the wife, eldest child, or next friend of the brother in whose case such action is deemed necessary. Provided further, that where there is a wife who was dependent upon the brother at the time the insanity occurred, the Lodge shall pay the benefits to the wife, unless she be not personally a proper person to receive them.

INSANE.

2445. Where after the initiation it is ascertained that the initiate is on parole from an insane asylum, held that until the fact of the brother's insanity at the time of his application, election and initiation is legally established under the laws of the Order, his membership must be recognized. If in a proceeding for that purpose, and of which he has full notice, it is shown that he was insane at the time of his application, election and initiation, his election could be annulled, and he could be expelled from the Lodge on the ground that he was not competent to enter into the contract involved in the obtaining of membership; or charges could be preferred against him for concealing from the Lodge and not divulging the important fact of the condition of his mind. The proceedings, of course, would have to be in accordance with the provisions of law.

2446. An insane brother cannot be expelled for improper conduct.

2447. A Lodge can lawfully refuse a claim for weekly benefits for insanity, when it appears that the brother was insane prior to and at the time of his admission to the Lodge.

2448. In case of the death of an insane brother, entitled to weekly benefits, the beneficiary or beneficiaries of his funeral benefits are to be determined in the same manner as for any other deceased brother of the Lodge.

INSTALLATION OF OFFICERS.

(a). The Installing Officer.
(b). The Rights and Duties of Installing Officers.
(c). The Installation.
(d). Effect of Installation.
(e). Expenses of Installation.
(f). Grand Lodge Installation.

See Election at Installation.
Grand Honors.
Instituting New Lodges.
See Public Installation.
Precedence.

(a). The Installing Officer.

2449. It is one of the duties, as well as one of the privileges, of the Grand Master to install, or cause to be installed, the officers of Subordinate Lodges. He may therefore attend and officiate at such installations.

2450. It is one of the most important duties of a District Deputy Grand Master to see that the officers of the Lodges in his district are installed into their respective positions.

2451. Any Past Grand may regularly install the officers of a Lodge on the first meeting night after the election, unless the Grand Master, a Deputy Grand Master, or a Special Deputy of the Grand Master be present for that purpose, although the Lodge shall fail to notify the District Deputy Grand Master of the election of its officers.

2452. A Third Degree member cannot install the officers of a Lodge for the reason that no one may be appointed to administer an obligation who has never received it.

2453. In this jurisdiction the duty of installing or seeing that the installation of the officers elect of Subordinate Lodges is accomplished is placed upon the Grand Master, who performs this duty by the aid of the District Deputy Grand Masters, and Special Deputies appointed by him for that purpose.

2454. When a District Deputy Grand Master has notified a Lodge that he will install the officers personally, or by Deputy, and fails to appear at the proper time, or the time appointed, and does not appear at the following meeting until "the Good of the Order" is called, any Past Grand whom the Lodge may select shall then install the officers.

INSTALLATION OF OFFICERS.

(b). Rights and Duties of Installing Officers.

2455. A District Deputy Grand Master or a Past Grand, deputized by the Grand Master to install the officers of subordinates and his accompanying staff, charged with a special duty, clearly prescribed by law, and are entitled to all the respect due to the officers whom they represent; but they have no authority to summarily deprive a Lodge of its charter, nor any right to assume the rank of elective Grand Officers and introduce strangers into the Lodge without card or pass word. They and such other members of the Grand Lodge as may assemble to aid in these ceremonies are required before entering the anteroom, to give the same pass word that is demanded of other brothers, but after the Lodge has been duly informed by the Grand Marshal of the presence in the ante-room of the installing officers, no pass word should be required of them at the inner door.

2456. When visiting for installation, the Grand Master or his Deputy takes the chair of the Noble Grand; but the Grand Master, or any other person, when otherwise visiting, is not entitled to the chair as of right.

2457. The installing officers can exercise their personal judgment only in the case where the officer fails to appear for installation, as it is for the acting Grand Master to say whether the brother's absence is excusable or not; and even in this case the wise course to pursue would be to take the judgment of the Lodge thereon, and act accordingly; and when the election has been effected by irregular or illegal means, then the installing officer shall order a new election to take place at that time, which he shall conduct, and the person then elected, if qualified, shall be installed. These directions apply to all the officers.

2458. Should an insufficient reason be given to the installing officer for the non-attendance of an officer elect upon the installation night, the installing officer may require the Lodge immediately to elect another to fill such office.

2459. The Grand Master has not the right on the regular installation night to refuse to install the officers of a Lodge without giving any reasons therefore, as the law gives him power to arrest the installation ceremony only when objections are raised at the time, and when these objections are of such a nature as he can take cognizance of.

2460. By the general law of the Order the officers of Subordinate Lodges shall not be installed nor furnished with the semi-annual pass words unless the reports, returns and moneys due from such Lodges to the Grand Lodge be actually made and placed in the hands of the proper officer, or be actually in transit to the proper destination. The Grand Lodge has authority to provide that the officers of subordinates cannot be installed until the dues of such subordinates are paid.

2461. The installing officer shall not install the officers, nor furnish the Lodge with the semi-annual pass word, unless the reports and returns have been made out and forwarded, and the moneys due the Grand Lodge have actually been paid to the Grand Secretary.

2462. The Secretary of the Lodge will exhibit to the installing officers the receipt of the Grand Secretary, which will be the best evidence that the per capita tax and the Orphans' Home taxes have been paid.

2463. If, in reply to his question, the Lodge should reply that they are not content with the choice they have made, the acting Grand Master will inquire if the election was effected by irregular or illegal means; if this does not appear, he should inform the Lodge that he will install the brother, and that the Lodge must take the proper course to declare the election and installation illegal, so that the brother will have an opportunity to be heard in his own behalf, a proceeding which he, the installing officer, is neither competent to, nor is it proper for him, to entertain, hear or decide.

INSTALLATION OF OFFICERS—Rights and Duties of Installing Officers.

2464. Where the election held has been regular, the forms of law complied with, the candidate eligible and free from charges, it is not competent for the Lodge, at that or any subsequent meeting, by a mere vote, upon motion, to declare such an election void, or for the installing officer to declare the election void and hold a new election. Every officer or member of the Order is, of course, amenable to its laws; and if he offends against them the mode prescribed for trial and conviction must be followed, but the installing officer is not the proper authority to try the case.

2465. An installing officer has no right to refuse to install an officer on the ground that at the election a member was deprived of his vote on an erroneous statement that he was in arrears for dues. The Lodge has the power to decide upon the qualifications and rights of its members to vote at elections ,and if the brother was denied a vote, it was his personal grievance, and he could appeal, but the installing officer could not, for that reason, refuse to install the brothers who were returned to him as regularly elected. If any candidate was injured by the refusal of the Lodge to allow a brother to vote, the candidate injured might also appeal.

2466. The installing officer has no right to refuse to install an officer elect who is under charges regularly preferred against him, but which the Lodge has not finally heard and judgment entered.

2467. A committee was appointed under the local law preparatory to bringing charges against a brother. Before the committee reported he was elected and installed into office, objection being taken thereto. Held that his election and installation were legal and proper; that even though charges had been regularly preferred against him, the installing officer had no right to refuse to install.

2468. The installing officer cannot permit an officer elect to be installed by proxy.

2469. Charges on the books, such as arrears of dues, fines and assessments are, in case of dispute, capable of determination by the installing office, by a personal examination of the books of the Lodge

2470. A Lodge complained of the action of a District Deputy Grand Master in refusing to install the Noble Grand elect, who was in arrears for over thirteen weeks' dues. He had been installed and his chair declared vacant by the Lodge. The brother then paid part of his arrearages, but not sufficient to place him in good standing. He was again nominated and elected to the office of Noble Grand, but upon the night set for installation he owed over thirteen weeks' dues. The installing officer refused to install him. The action of the installing officer was sustained.

2471. An officer elect being in good standing is eligible for installation. It is immaterial that he will become in arrears in a few days.

2472. An officer elect can be installed while an appeal is pending affecting his eligibility, the decision of the Lodge having been in his favor.

2473. A District Deputy Grand Master in his own proper person cannot lawfully install the officers of two Lodges at one and the same time.

2474. When the installing officer is present to install the officers elected, and there are not enough Past Grands present to fill all the chairs, the installing officer cannot take members who are not Past Grands to help install the officers. The Past Grands will divide the work between them, by filling more than one position.

2475. The installation will be deferred if only one qualified installing officer be present, and there is no Past Grand present to assist him.

INSTALLATION OF OFFICERS.

(c). Installation.

2476. The installation ceremony in a Lodge must always take place when the Lodge is opened in the Third Degree.

2477. The installing officers having entered the Lodge room, the Grand Master or his Deputy takes the chair of the Noble Grand.

2478. The Grand Master or his Deputy then satisfies himself that the per capita taxes have been paid and the reports and returns have been forwarded to the Grand Secretary.

2479. The officers, when they retire for examination in charge of the Grand Marshal, retire in form; that is, they address the chairs.

2480. The officers elect having been examined in the ante-room, when they re-enter for installation, they do not address the chairs.

2481. A member of the Patriarchs Militant has no right to wear his uniform while installing the officers of the Subordinate Lodge, either in connection with a Past Grand's regalia or without it.

2482. The installing officer being the representative of the Grand Master, he must wear the regalia representing that office and that alone. If, however, the installing officer is a regularly commissioned District Deputy Grand Master, he wears the regalia and jewel of his own office, as installation is one of his duties.

2483. The Grand Master and his Deputy are, so to speak, civic officers, and when performing the functions of that office should be clothed in regalia appropriate to those functions.

2484. A re-elected officer is subject to the same ceremony of installation as when first elected and installed.

2485. The officers of a Subordinate Lodge may be installed, although the Noble Grand elect may be absent. The presiding Noble Grand will continue to act until his successor is regularly installed, unless the absence of the Noble Grand elect has been excused for sickness, when the Vice-Grand will assume the Noble Grand's chair *pro tem.* and the retiring Noble Grand will become a Past Grand.

2486. It is imperative upon Grand and Subordinate Lodges to furnish the officers of their respective Lodges with the jewels appertaining to their rank and station.

2487. The Vice Grand being authorized to appoint his own supporters, the Noble Grand cannot prevent their installation on the ground that they are not acceptable to him.

2488. When the Noble Grand fails to present himself for installation, and no brother is elected to fill the vacancy, the Vice Grand, as the presiding officer of the Lodge, may appoint the subordinate officers.

2489. Should an officer elect absent himself on installation night, unless a satisfactory excuse be given for his non-attendance, the installing officer may require the Lodge immediately to elect another officer in place of the absentee.

2490. When a new election is ordered by the Grand Master at installation, it is his duty to conduct the same, and the Noble Grand has no right to attempt to put a question to the Lodge while the Grand Master or his Deputy is conducting the election or installing the officers. Any member of the Lodge may vote at such election, although a Grand Officer, or acting as such, and clothed in his official regalia.

2491. The proposition that a member under charges, and during the investigation thereof by the Lodge, is under a state of suspension and cannot participate in the work of his Lodge, is subversive of that well-known

principle that a man is presumed to be innocent until he is proved guilty. The only effect of undecided charges is to deprive a member of the right to take a Visiting Card, and when the charges bear upon the right to benefits, to suspend the payment thereof until a final decision. It follows, therefore, if charges against the Noble Grand elect of a Lodge are presented, the installing officer has no right to refuse to install him.

2492. There can be no ceremony of installing into office any other than those officers designated by the Sovereign Grand Lodge.

(d). Effect of Installation.

2493. One of three conditions precedent and necessary to confer on a brother the honors of a term of service in an office is that he shall have been regularly and properly installed into the office.

2494. The installation into office of a member who is disqualified by law for such office is null and void, and should be so declared by the proper authority in the jurisdiction, and the vacancy filled according to law. Installation is not a judicial, but merely an auxiliary proceeding, and cannot affect the standing of a regularly elected officer. If the election of any officer is regular, installation cannot affect his standing any more than that the illegality of elected officers can be cured by a regular installation.

2495. If an officer be not legally nominated and elected, the act of installation becomes void.

2496. A member over thirteen (13) weeks in arrears when elected to office is ineligible, and payment of said arrears on the night of installation does not remove the disability.

2497. A candidate who is ineligible on election night, cannot make himself eligible, so as to be installed on installation night. The election being illegal, the installation would be void.

2498. When the officers of a Lodge, being duly elected and qualified, are installed by a District Deputy Grand Master or other person authorized by the Grand Master, and have taken the obligations of office, such installation is valid, although there may be certain irregularities connected with it.

(e). Expenses of Installation.

2499. It is illegal to take from the Treasury of a Lodge the expenses of a supper given on the night of installation of officers, or any other time.

2500. The Grand Lodge cannot entertain a proposition to pay expenses incurred by the District Deputy Grand Masters in visiting or installing the officers of Subordinate Lodges, unless an appropriation be made for the purpose at an Annual Session.

2501. Subordinate Lodges are required to pay the expenses actually and necessarily incurred by District Deputy Grand Masters in installing their officers.

(f). Grand Lodge Installation.

2502. The installation of officers for the Grand Lodge must be conducted by the Grand Master in fulfillment of the duties of his office, or, in his absence, by a Past Grand Master.

2503. In case of the absence of all these officers, a Grand Representative or a Past Grand Representative can install the Grand Lodge Officers; provided, no objections be made thereto.

2504. The officers of the Grand Lodge cannot be installed by a Past Grand. The obligations of office can only be administered by those upon whom they have already been conferred.

2505. The installation of officers in the Grand Lodge is the order of business of the Session, after all the legislation has been disposed of.

INSTITUTION OF NEW LODGES.

See Charter. *See* Election of Officers.

2506. New Lodges shall be instituted by the Grand Master, an elective officer of the Grand Lodge, the District Deputy Grand Master, or by a Past Grand, duly authorized by the Grand Master. It shall be the duty of the officers instituting a new Lodge to confer the necessary degrees upon the applicants, to install its officers, deliver the Dispensation, the Rituals, five copies of the Constitution for Subordinate Lodges, and give the necessary instructions.

2507. The Deputy appointed by the Grand Master to institute a Lodge fulfills his duty when such Lodge is instituted and he has made report of the same.

2508. The authority of a Special Deputy, appointed by a Grand Master to institute a Lodge, terminates at the expiration of the term of the Grand Master, and if the Lodge has not been instituted previous to the expiration of such term, the Special Deputy has no power to do so afterwards.

2509. If the instituting officer be not an elective Grand Officer, a commission will be issued to him in the following form:

(a)

COMMISSION TO INSTITUTE A SUBORDINATE LODGE.

I, ..., Grand Master of the State of Pennsylvania, of the Independent Order of Odd Fellows,
To our Brother, Past Grand, Greeting:

Reposing special confidence in your zeal and ability, I do, by virtue of the power and authority in me vested, hereby authorize and empower you to call to your assistance a sufficient number of known, approved, and duly qualified brothers in good standing, in Lodges in good standing in this jurisdiction, to open and constitute a new Lodge to be held in....., in the County of....., State of Pennsylvania, and to proceed to the installation of our worthy brother who shall be elected Noble Grand, and other the officers of the new Lodge there to be established and constituted and to be hailed and known by the title of.....Lodge, No,according to the most ancient and honorable customs of our Order, and not contrariwise, and to make report of your proceedings.

This commission to remain in full force for one month from the date hereof, and no longer.

Given under my hand and the seal of the Grand Lodge of Pennsylvania, I. O. O. F., at Philadelphia, in the State of Pennsylvania, this..... day of....., one thousand nine hundred and....., and of our Order the

....., Grand Master.

Attest:

....., Grand Secretary.

(b)

ORDER OF CEREMONIES AT THE INSTITUTION OF A LODGE.

To get through properly an afternoon and evening will be required. Arrange, therefore, to meet early in the afternoon, upon the day fixed, so as to enable the instituting officer to institute the Lodge, conduct the election and install the officers, as well as to permit of the proposal and election of candidates for membership. The evening session can then be devoted to initiation and general instructions.

The Grand Master, or the instituting officer, having taken the Noble Grand's chair, and if convenient, supplied all the chairs of the elective officers, pro tem., will deliver a short address appropriate to the occasion.

The officers, at the opening of the Lodge, will have the title of the

INSTITUTION OF NEW LODGES.

Grand Lodge Officers, for the reason that the ceremony at institution ends with the installation of the officers elect of the new Lodge.

1. The instituting officer will direct the officers to take their respective stations and the Grand Guardian to secure the door.

2. He will direct the Grand Marshal to examine the brethren in the Lodge room.

3. The Grand Marshal having reported the brethren all present entitled to remain, the instituting officer will then close the Opening Ceremony, as laid down in the Ritual.

4. The instituting officer will be careful to appoint some competent brother to act as Grand Secretary, in order that the minutes of the institution of the Lodge may be accurately recorded and the records of the Lodge properly started.

5. He will direct the Grand Conductor to introduce those petitioners who are not in possession of the Third Degree. The instituting officer will obligate and instruct them in the required degrees.

6. He will then proceed to institute the Lodge in accordance with the form prescribed in the Ritual.

7. The Lodge will proceed to an election for officers. The instituting officer will appoint two of the [acting] Grand Officers to act as tellers. Nominations will then be made for Noble Grand, and he will be elected. After the Noble Grand has been elected, nominations will be made for Vice Grand, and he will be elected; and so on in regular succession, until the elective officers are elected. Where there is no opposition, one ticket or ballot will be sufficient.

8. The instituting officer will proceed to install the officers in the manner prescribed in the Ritual.

9. The officers having been installed into their respective positions, the instituting officer, in making the proclamation which closes the Ceremony of Installation, will add the following: "And by virtue of the authority vested in me as (by) the Grand Master of the Grand Lodge of the Jurisdiction of Pennsylvania, I. O. O. F., I do declare the first session of..... Lodge, No., duly opened."

10. The instituting officer will announce that according to law, at the institution of the Lodge, candidates may be proposed, reported upon, and balloted for, elected and initiated during the course of the afternoon and evening of the day of institution, but that he would impress upon the Lodge that care must be taken that by reason of this haste, no saloon-keeper, bartender, or professional gambler shall be admitted, as the membership thus obtained would not be allowed to be retained; also, that by no possibility can any candidate be initiated into this Order as a non-beneficial member, and that the minimum initiation or admission fee of five dollars must be actually paid in cash by each applicant, whether admitted by initiation, or card, or certificate.

11. The instituting officer will caution the Lodge that the authority to propose, report upon, ballot for, elect and initiate candidates, all at the same meeting, can only be exercised by a Lodge at the date of its institution, that at the next and all subsequent meetings of the Lodge, it must conform to the requirements of the Constitution for Subordinate Lodges, and that the officers and members of the Lodge should at once familiarize themselves with all the requirements of the Constitution, in order that their acts may all be performed according to law, and they may avoid a conflict with the higher authorities.

12. The Lodge will fix its regular night of meeting, the admission or initiation fee, the salaries to be paid its officers, the dues, assessments and benefits; these figures to be binding upon the Lodge until it has adopted its regular code of By-Laws, and the same has been approved by the Committee on By-Laws of the Grand Lodge.

INSTITUTION OF NEW LODGES.

13. The Lodge will adopt for its temporary government, other than for the subjects mentioned in the preceding sections, the By-Laws of a sister Lodge, with such modifications as are proper, and excepting the section relating to amendments thereto.

14. The Lodge will appoint a committee to prepare and present a Code of By-Laws to the Lodge for its action and adoption. The instituting officer will present the committee with copies of the Revised Form of By-Laws to assist them in the performance of their duties.

15. Report of Investigating Committee and balloting on candidates.

16. Candidates may be proposed and referred to an Investigating Committee to report at the next or some subsequent meeting.

17. The instituting officer will require a report to be made from the temporary officers elected by the petitioners, particularly requiring that the Treasurer shall make a report showing that each petitioner has paid into the treasury the sum of five dollars, with which sum, in the aggregate, the Treasurer, pro tem., has charged himself, and after deducting the necessary costs and expenses incident to the institution of the Lodge, the balance will remain as stated in his report, which sum immediately upon the approval of his report by the Lodge, he will hand to the Secretary as part of the receipts of the evening. The report of the Treasurer and the action of the Lodge thereon must be set out in full on the first minutes of the Lodge.

18. The instituting officer will give such instructions and make such remarks as he may deem proper.

19. He may call upon his associates and visitors for remarks.

20. The Lodge will close in regular form.

21. The Minutes of this meeting must be kept by the (acting) Grand Secretary, according to a skeleton form that will be furnished, and signed by him and handed to the Secretary of the Lodge at the close of the installation of Officers. From this point in the proceedings of the meeting the Secretary of the Lodge will keep the minutes

22. The Special Deputy appointed to institute a Lodge, fulfils his duty when such Lodge is instituted and he has made report of the same. If the Special Deputy appointed to institute does not perform this duty during the term of the Grand Master whose Deputy he is, he will return the certificate of his appointment, as upon the installation of the succeeding Grand Master the Special Deputy's authority ceases. The Special Deputy must be a Past Grand, in good standing in a Lodge in good standing in this jurisdiction.

(c)

The following is the form of dispensation to be issued by the Grand Master to institute a Lodge:

Grand Lodge of Pennsylvania, I. O. O. F.

To all whom it may concern, Greeting:

Whereas.....

.....

.....have formally applied for a charter for a Lodge to be located at. in the County of Pennsylvania, and believing it to be for the benefit and welfare of the Order, We, Therefore, by the powers in us vested, do grant this our

SPECIAL DISPENSATION.

whereby the above-mentioned Brothers are constituted a Lodge, under the name of Lodge, No.....with power and authority to initiate members, to grant certificates for the three Subordinate Degrees, and to confer the same on duly qualified members, and to do and perform

INSTITUTION OF NEW LODGES.

all that a duly chartered Lodge of the Independent Order of Odd Fellows may of right do: Provided, That it conforms to the charges and regulations of the Order, and to the Constitution and By-Laws of the Grand Lodge and the Constitution of Subordinate Lodges.

This dispensation to continue in force until the next annual communication of the said Grand Lodge, and until its pleasure in the premises shall have been made known to you.

Given under my hand and the seal of the Sovereign Grand Lodge of the I. O. O. F. at the..... of one thousand nine hundred and....., and of our Order the.....

[Seal.]

Attest: Grand Master.

..... Grand Secretary.

(d)

The Special Deputy having instituted the Lodge, will report according to the following form, and transmit the same, with his commission, to the Grand Secretary, immediately after the institution.

RETURN OF INSTITUTION.

To....., Grand Secretary of the Grand Lodge of Pennsylvania, I. O. O. F.:

Dear Sir and Brother:—

Pursuant to the authority vested in me by the within commission, I proceeded to....., in the County of....., State of Pennsylvania. and assisted by a sufficient number of duly qualified brothers. on the.....day of....., 19.., instituted.....Lodge, No., and installed the duly elected and appointed officers thereof as per the accompanying list.

....., Special Deputy Grand Master.

2510. Where in the matter of the organization of new Lodges the charter members meet and organize by electing a chairman and Secretary, and a sufficient number of members in good standing in their Lodge decide to procure a charter for a new Lodge and authorize the Secretary of the meeting in writing to procure for each of them a Withdrawal Card from their Lodge, and deposit with him their official receipt, showing dues paid up beyond the date of presentation of their receipt, such members are required to pay for admission as charter members under the above conditions, the minimum fee of $5.00; they cannot become charter members under the provisions of the law passed by the Sovereign Grand Lodge, which took effect January 1, 1905. The said resolution passed by the Sovereign Grand Lodge in 1904, on the question of transfer of membership by Withdrawal Card on change of residence, has no application whatever to the case stated above. The law as it existed before the passage of that resolution governs the case. Each charter member must pay into the Treasury of the Lodge before it is instituted, at least the sum of five dollars as an admission fee.

2511. In instituting a Lodge the Grand Master, or the instituting officer, opens, with assisting brothers, a temporary Subordinate Lodge in the Third Degree which, as the ceremony proceeds, becomes the newly instituted Lodge, which the general law says must be opened by the instituting officer in the Third Degree. And as the ceremony ends with the installation of officers, when the instituting officer places in the hands of the Noble Grand the Constitution, By-Laws, Rules and general regulations of the Grand Lodge, and the dispensation under which the Lodge exists to follow the Ritual, the titles of the officers in the temporary Lodge will be those corresponding with the like positions in the Grand Lodge.

2512. A Grand Master admitted a brother as a charter member of a new Lodge, and waived the production of his Withdrawal Card on his promise to procure and file it with the Grand Secretary, which he afterwards did,

but it bore date subsequent to the time of his admission to the new Lodge. This was illegal, but, as it did not appear to be the fault of the brother, his membership should not be disturbed. It is now declared to be a fundamental principle of the Order, fixed by general law, that the requirement of a card or certificate from a brother joining a Lodge upon its institution cannot be waived by the instituting officer.

2513. On August 4 a brother, while a member in good standing in a Lodge, was admitted as a charter member of a Lodge that day instituted. He did not have a card, but the Grand Master waived the presence of the card upon the brother's promise to subsequently file it with the Grand Secretary, which was done August 9th. Held that, according to the laws of the Order, a brother cannot be a member of two Subordinate Lodges at the same time, and the Grand Master erred in waiving the presence of the card and permitting the brother to be admitted without it.

2514. At the institution of a Lodge, October 12, 1900, a brother gave the instituting officer the price of his Withdrawal Card and the Grand Marshal vouched for his good standing. Subsequently the brother became sick and an examination of the books developed that the brother had paid his dues, etc. and was in good standing, but the Lodge had never received his card. The certificate was then procured and accepted by the Lodge, November 23, 1901. Held that the brother's membership dates from November 23, 1901, when his certificate was deposited in the Lodge, and could not date back to October 12, 1900. There is no such thing in Odd Fellowship as vouching for a brother's standing. If the brother intrusted his $1.00 to a brother to procure his certificate, that brother became his agent, and for any failure on his part the Lodge is not to be held responsible, nor can it be held that the Lodge is bound by having received the brother on the Grand Marshal's vouching for him. It is a fundamental principle of the Order to require the card or certificate of a brother on the institution of a new Lodge, which cannot be waived.

2515. Where a Lodge had been instituted with nine charter members, the granting of a charter to the Lodge by the Grand Lodge was objected to because at the time of institution all but one of the nine charter members were members of their old Lodge, their Withdrawal Cards not being granted until fifteen days after the institution of said Lodge. Held that these brothers could not become members of the new Lodge until they had severed their connection with their old Lodge; and as the Withdrawal Cards were not issued to them until fifteen days after the institution of said Lodge, it was illegally instituted, and the Grand Lodge erred in granting a charter to said Lodge, and the same should be recalled.

2516. A new Lodge cannot legally be instituted on Sunday.

2517. The Grand Officers, as such, cannot, after the institution of a Lodge, initiate candidates nor confer the degrees.

2518. Upon the organization of a new Lodge, when it may be necessary to confer any of the three degrees upon any of the petitioners, the fee for the dispensation to confer the degrees in such cases is covered by the charter fee, as the granting of the charter carries with it the institution and organization of the Lodge.

2519. The instituting officer of a new Lodge can only appoint officers to fill the chairs temporarily for the institution, after which the Lodge must elect and install its officers.

2520. Only those who are petitioners for the charter may participate in the election of officers at the institution of a Lodge. Charter members initiated at the first meeting, but after the institution of the Lodge, are not qualified to vote for the first officers of the Lodge.

INSTITUTION OF NEW LODGES.

2521. The first election for officers of a Subordinate Lodge shall be held at the time of its institution; and in case the same be within fourteen weeks of the succeeding semi-annual election, the officers so elected will serve during the current and the whole of the following term.

2522. Any Scarlet Degree member in good standing in a Subordinate Lodge may be elected as the first Noble Grand or Vice Grand of a new or revived Lodge.

2523. A Lodge on the night of its institution may, if no local law forbids it, receive applications, refer the same, receive the report of the committee thereon, ballot, elect and confer the initiatory and other degrees on the elected applicants.

2524. A Lodge cannot ballot collectively on a number of applications for membership. A ballot must be taken separately on each application.

2525. On the institution of a new Lodge, the Special Deputy obligated those charter members only who were Odd Fellows and held cards; the Special Deputy then appointed the officers, after which the charter members who were not Odd Fellows were initiated. It was held that the instituting officer of a new Lodge has no right to appoint officers, except to fill chairs temporarily for the institution. Those who are obligated as provided in the institution of the Lodges should, immediately after the institution, elect and install officers, but if this was omitted, the Lodge can now do so, and the officers appointed by a Special Deputy will vacate. While the appointment of officers by the Special Deputy was an irregularity, it will not vitiate the institution of the Lodge, as the officers so appointed were such de facto while serving.

INSTRUCTIONS.

2526. While the Grand Lodge or a Subordinate Lodge may instruct its Representatives in matters of legislation pertaining particularly to said Grand Lodge or Subordinate Lodge, nevertheless instructions are not expedient or proper for the Grand Lodge to instruct in matters of interest to the entire Order, or the Lodge to instruct in matters of interest to the entire jurisdiction.

INSURANCE.

2527. It is the duty of Lodges or Trustees, or brethren holding Lodge property, to have it insured against loss by fire, and in case of neglect of this wise precaution, they have no claim upon the Order to make good their loss of property, as the Order is not a fire insurance company.

2528. An erroneous opinion to the effect that the Order is liable for losses by fire seems to be gaining ground, notwithstanding the emphatic resolves of the Grand Lodge to the contrary. To such an extent does this error exist, that many members fail to have their property insured, as they believe that Odd Fellowship will indemnify them in case of loss by fire. The Order certainly never intended to encourage negligence, nor countenance carelessness. Upon the other hand, we believe that it teaches vigilance, and admonishes its members to guard against the uncertainties, and provide for the contingencies of the future. If, under our system of providing a revenue by small weekly contributions, we should assume fire risks, the Lodges would soon become bankrupt, and the usefulness of the Order utterly destroyed. It is therefore emphasized, as already laid down, "that the only safeguard against personal loss by fire is insurance in a safe, reliable company."

2529. All legislation heretofore enacted by the Sovereign Grand Lodge in any way recognizing or authorizing life or accident insurance in the name of Odd Fellowship is repealed.

2530. All certificates issued to life or accident insurance companies, authorizing such companies to do business in the name of the Order, are revoked.

INSURANCE.

2531. An Odd Fellow cannot act as agent for an insurance company or association using the emblems of the Order.

2532. It is not illegal for a member to solicit for an insurance association not using the name or emblems of the Order, but it is improper to do so in Lodge session.

2533. An association conducting life insurance business without using the name or emblems of the Order, but which does print upon its cards "For I. O. O. F. only," does not violate the law.

2534. There is no law of the Order which authorizes a Grand Lodge to form an indemnity company to protect Lodges from losses by fire, or from infidelity of officers. Nor is it legal for a subordinate Grand Body to provide fire insurance for the property of the subordinate bodies under its jurisdiction, the matter of carrying insurance being entirely voluntary with the subordinate bodies, and the expenses being met by pro rata assessments upon those carrying such insurance.

INTEMPERANCE.

2535. Our laws consider drunkenness as the vilest and most pernicious of all vices. The drunkard, deprived of the reason given him by God, lowers himself to the condition of the brutes. He contracts ruinous engagements, neglects his business, squanders his property, abuses his health, fills his house with troubles, and if not cut off by premature death, is doomed to an old age, comfortless and diseased.

2536. The intemperate, from drink, is not a fit person to remain a member of the Order.

2537. Being intoxicated in a public place while drawing benefits is an offense punishable by charges, trial and the infliction of a penalty of expulsion.

2538. Where a brother affected with intemperance is in the neighborhood of his Lodge and it is known to the members thereof, the Lodge cannot, by permitting this intemperance to continue, wait until after the brother's death and then set up the intemperance as a defence to the payment of a funeral benefit. It was bound to prefer charges during the life of the brother, and expell him or pay the benefits.

2539. Where the intemperance was not known to the Lodge during the brother's life time, it may be possible that it can be investigated after his death.

2540. While temperance is a cardinal principle of the Order, and must be observed, it will not attempt to enforce total abstinence, a principle never intended by the framers to be ingrafted upon the Order.

2541. A brother was in the habit of becoming intoxicated and the Lodge appointed a committee to talk with him. He promised to do better, but again went on a spree. After a few days pneumonia developed and caused his death. During the sickness charges were preferred against him, but trial had not taken place at the time of his death. The Lodge must pay his funeral benefit.

INTERMITTENT SICKNESS.

See Infirmity Concealed at Admission. Reduced Benefits.

2542. When a brother has been for several years afflicted with such disease as epilepsy, occasional and unpremonitory attacks of which render him at times, for short periods, unable to follow his usual or other occupation, the fact that he was in arrears and not beneficial during one of these attacks will not disqualify him from receiving benefits at the time of a subsequent attack, if he is not in arrears, and otherwise in good standing.

INTERMITTENT SICKNESS.

2543. A brother who at the time of his admission was afflicted with an intermittent disease, such as epilepsy, attacks of which did not prevent him, in between, from following his usual occupation whereby he earns a livelihood, is guilty of concealing an infirmity at the time of his initiation, if he does not disclose the same to the Investigating Committee.

2544. A brother advanced in life is taken sick; he is not beneficial; he gets so much better that he resumes his usual occupation and pays his arrears; he subsequently reported again; and, because the sickness is, in the opinion of the Lodge, the same kind of sickness, he is not thereby debarred from receiving benefits.

2545. A brother was taken sick in July; exactly what was the cause of complaint is not clear. At this time the brother was not beneficial, for weekly benefits by reason of not having paid up his dues. From this sickness he was declared off in two or three weeks and paid his arrears. During September and October following, the brother was at work, doing his best towards making a living. Subsequently, in November, the brother was again reported as sick; and, as claimed by the Lodge, with the same sickness as that under which he suffered in July. And, as they further claim, it was a continuous sickness, they, therefore refused to pay him benefits, on the ground that having been taken sick when in arrears, he could not, during that sickness become beneficial. He was entitled to benefits.

INTERPRETER.

See Language. Degrees, Trial.

2546. A Lodge working in the language of a particular people, possesses the right to receive and initiate an applicant who speaks and more thoroughly understands another language, and for the purpose of interpretation and to convey a more complete knowledge of the ceremony. If it be possible the Ritualistic lectures and charges may be delivered in the mother tongue of the applicant; provided, always, that the Ritual shall have been published therein and the Pass Words shall be communicated in English, the universal language for expressing the sounds of such symbolical words.

2547. Where, in case of a trial for charges or hearing before a commissioner, the party accused or claiming benefits, as the case may be, or any witness is unable to speak the English language, an interpreter may be used, so that the proceedings may be clearly understood by all the parties.

2548. Where the proceedings are in a Lodge where all the members speak the language of a particular people, the proceedings and records may be in their own language, but the papers and testimony must be translated into English, and certified to by the Lodge, and the translations forwarded, with the original papers, in an appeal to the Grand Lodge from the action of the Lodge.

2549. In every case the interpreter must be one qualified to be present.

INTOXICATING LIQUOR.

See Liquor. *See* Regalia.

Permission to use the nama of the Order, Wear, Regalia, etc.

INVESTIGATING COMMITTEE.

2550. Where the By-Laws of a Lodge prescribe that the Noble Grand appoints a majority of all committees, and a Noble Grand proposes the name of a candidate for membership, he cannot authorize the Vice Grand to appoint all of the Committee on Investigation. The Noble Grand, if in the chair, must appoint the majority of the committee.

INVESTIGATING COMMITTEE.

2551. A Lodge should have a Proposition Book, in which the names of candidates should be entered; and the Investigating Committee should sign the report in the proposition book. A member of the committee may authorize one of his colleagues to sign the report in his behalf. The committee cannot report upon the night of its appointment.

2552. In all cases, a report of two of the three members of a Committee is a sufficient report upon which to base a ballot. A report of an Investigating Committee must be signed by a majority of the committee. Two so-called reports, one in favor of the applicant, and one against, each signed by a single member of the committee, are not proper reports to be received and acted upon by the Lodge.

2553. The Investigating Committee is the direct creature of the Lodge, possessing no power further than that of inquiry and recommendation, or disapproval, etc. One of the first principles of parliamentary law is that a committee is the creature of the appointing body, and must report its acts to the body creating it, unless otherwise authorized by such body.

2554. The committee cannot consent to the withdrawal of the application; it must perform its duty to investigate and report, even though the application may be withdrawn before its report may be read to the Lodge.

2555. The Constitution for Subordinate Lodges in a jurisdiction provided that applications for membership should be referred to a committee of three, "who shall report upon the application upon the next succeeding regular meeting (unless unavoidable circumstances prevent), when the candidate shall be balloted for, etc." The By-Laws of a Subordinate Lodge provided, "When the report shall have been submitted to the Lodge, action shall be deferred until the next regular session, or from time to time, until any doubt as to the fitness of the candidate may be determined." Held that there was no conflict between the Constitution and the By-Laws, and that the Lodge had a right to postpone the consideration of the report of a committee to any subsequent meeting.

2556. When the Investigating Committee makes a report on the application of a citizen who desires to join the Lodge by initiation, or by a brother by deposit of card, or by deposit of certificate, or as Ancient Odd Fellow resigned from the Order, respectively, the report should be received, and then action must be taken on the application for membership by ball ballot vote under the law.

2557. When the report is received, it stands as any other report made by a special committee to the Lodge, and may, if desired, be discussed and recommitted with instructions, if such is the will of the Lodge, or the application may be referred to the Lodge itself as a "Committee of the Whole." The Lodge possesses the inherent right to investigate the standing of the applicant, through a special committee, or as a committee of the whole, but in either instance the report of the committee must be made to the Lodge in regular meeting.

2558. An Ancient Odd Fellow who became such by written resignation from the Order, may be re-admitted; provided, he can pass a satisfactory examination in the work by the Investigating Committee, and if he fails to pass an examination satisfactory to the committee and the Lodge accept the report of the committee, he can only be readmitted by initiation. An Ancient Odd Fellow's rank and standing, when admitted in the Order will be determined by the Lodge upon the report of the Investigating Committee.

2559. There is no committee more important than this, especially in new Lodges, where there is a strong desire to increase the membership rapidly; or in large towns and cities, where men are not personally so well-known to each other, and where, therefore, the Lodge must rely wholly on the report made to it respecting a candidate. If this committee is careless in the performance of its duty, or lax in its standard of social and moral qualifications, in but a single instance a grievous if not irreparable injury may be inflicted

INVESTIGATING COMMITTEE.

on many brethren, on the Lodge and on the Order. Years may elapse before the evil can be arrested; certainly before its consequences can be repaired. The Sovereign Grand Lodge sounds a note of warning, which it hopes may echo in every locality where Odd Fellowship has an abiding place. That caution to every Lodge and to every member of our Order should be: never sacrifice a high standard of excellence in the personnel of membership in this fraternity in order to receive a large acquisition to your ranks. Always maintain that quality is of far greater importance than quantity. Emphasize strongly and at every opportunity the importance of properly investigating each application for membership. Remember that no Committee is charged with a more important duty, no subject brought before a Lodge for action requires more careful consideration than in passing upon an application for membership. Let us seek to improve and elevate the character of man, but let us insist that before an applicant is made an Odd Fellow his habits and moral standing must be such that we shall be glad to welcome him to our homes and introduce him to our wives and daughters. Guard the sanctity of your Lodge as though it were your own home! Discourage the thought that Odd Fellowship is a mere beneficial society. Inform the applicant that the great mission of our Order is to make the world purer and better, and that in becoming an Odd Fellow he pledges himself to practice in his daily life and with his Brother man, the principles of eternal Friendship, Love and Truth. Even a man esteemed to sustain a good moral character, may be socially such that his admission will be worse than that of an outright bad man. The latter would be rejected at once, easily and lawfully; but the former may foment disturbances and strifes, and get up factions and divisions, and introduce annoyances in the shape of unpleasant words and looks, so cunningly, that charges and specifications cannot easily be preferred, or conviction procured. But before this can be produced the injured, the peaceably disposed and the honorable will have left, disgusted and aggrieved, and the Lodge is not only weakened, but its character almost ruined in public estimation. And all this merely because an Investigating Committee was in an easy humor, or too indolent or careless to make the necessary inquiry.

2560. Let every member of this committee feel responsible, as if he were the committee, as if the character, funds and welfare of the Lodge rested on his decision. Let him, in making inquiry, insist on having sufficient time to write abroad, if the candidate is not an old resident. Demand at least as careful inquiry as you would concerning an individual to whom you are about to lend a large sum of money. Reflect that our Lodge is our family, and that admission into it, frequently almost necessarily, admits into our domestic circles also. Does this question go too far? Consider a few consequences of admission into our Order:

1st. If laid on the bed of sickness, the candidate (if become a member) may be the visitor to call on you freely, mingle with your family, and impart to them the benefits allowed by your Lodge. Is he such a one as you would allow in this intimacy when you are, perhaps, unconscious of his doings, and at all events unable closely to observe his conduct? Is he a man of principle, of honor, of goodness of heart? If not, why report in his favor?

2d. When you are sick or dying, he, if a member, may be detailed to sit at your bedside during the silent watches of the night. He will mingle with your loved ones when they most need sympathy and support, and when this want will render them most open and confiding. He will administer the medicines on which your life depends, when your family sleep under the double influence of deep grief and great weariness, and he is required to attend you with all a nurse's prudence and a brother's tenderness. And should death invade the citadel of life, he will be amid your mourning family; perhaps at midnight; their aider, consoler and friend. Is he the man of kindly feelings and purity of life to be thus deeply, confidingly trusted in the craving want of sympathy, in the unguarded hours of mourning agony? If not, how can you, in justice to your own and your brethren's family, refrain from doing your utmost to keep him out of your Lodge?

3d. When your moral life has been dissolved by the chemistry of death

your widow and orphans may become the charge of your "brethren of the mystic tie." Then the proposed candidate, if a member, may be brought into a peculiar nearness to them as an official guardian and adviser. These duties may pave the way to many opportunities to pervert the tender principles of youthful gratitude and confidence, and abuse the trust of the widow and her orphans. Though a majority of the Lodge guard carefully their interest in its funds, his injuries may reach deeper, far deeper than they can guard against. Has he, then, that humanity which will make him truly fraternal in watching over their interests and welfare? Will he often "visit the widow and the fatherless in their afflictions," and yet prevent his visits from being a blighting curse, by keeping "himself unspotted from the world?" Can you answer positively in the affirmative? If not, how can you report favorably?

2561. If the Investigating Committee is satisfied from an examination of the candidate's life, and especially his conduct in his family or among his intimate associates, that, notwithstanding the frailties common to our nature, he is still a man of humanity and sound principle, and worthy a seat in "our family," it should report in his favor at once. The influences of Odd Fellowship cannot render such a one worse, but will certainly make him a better man. But if doubtful, merely DOUBTFUL, report it, and give the Lodge the benefit of your doubt. Rejection is but for a few months, not for all time. It does not decide that he is positively unworthy, but only that he is not known to be worthy.

I. O. O. F.

2562. The word "of" should not be used in connection with the initials I. O. O. F.

JEWELS.

See Regalia, Emblems. Appendix.

2563. In the ordinary acceptation of the word, a jewel is an ornament of precious stones or metal, worn as a decoration, or as the badge or emblem of an honorary order. An emblem is a representation of an object intended to signify or indicate to the understanding something else than that which it directly represents to the eye. The meaning of the emblem rests upon its secondary, not its primary signification. It is often used in a sense synonymous with symbol. A symbol is that which specially distinguishes one regarded as occupying a particular office; as, for example, a crown is the peculiar symbol of a king. In Odd Fellowship the term jewel is the name applied to the emblems or symbols worn by officers as distinctive badges of their offices, as well as to the emblems or symbols worn by the members as decorations, to evidence their honorable connection with the Order.

2564. The right to wear an Official Badge, Jewel or Emblem of the Independent Order of Odd Fellows is necessarily dependent upon active membership therein. A member suspended for non-payment of dues cannot wear an Official Badge, Jewel or Emblem of the Order, and thus hold himself out to the world as an Odd Fellow, without violating the laws of the Order.

2565. In 1903 the Committee on Printing Supplies in the Sovereign Grand Lodge reported that the records of the Sovereign Grand Lodge had been carefully examined in search of all the enactments providing for and prescribing the jewels of the Order. In some cases, jewels are simply described, and reference made to "ancient usage" as authority for their use. In many instances the jewels are authorized by legislation, but they are imperfectly described. The various enactments of laws authorizing many of the jewels of the Order, and the descriptions of others, are so difficult to find in the journals of the Sovereign Grand Lodge, that they deemed it wise to embrace in their report a complete list of all the jewels authorized heretofore by legislative enactments of the Sovereign Grand Lodge, or described in its journals. In presenting the list, in all cases where anything is wanting to complete the description of any jewel or jewels, it has been added. Believing that they had embodied proper descriptions of those jewels not

JEWELS.

fully described in the legislation referred to, and that the adoption of their report and the accompanying resolution will not only cure any and all defects in previous enactments on the subject of jewels of the Order, but will put in concise form, in one report, a list of all the jewels, they therefore offered the following resolution, which was adopted, viz.:

Resolved, That the described jewels be, and they are hereby, declared to be the authorized jewels of the Order.

2566. Grand Sire:—A medal, three inches in diameter, of yellow metal, on one side of which shall be the coat of arms of the United States of America, surrounded by an ornamental silver edging.

2567. Deputy Grand Sire:—Similar to the jewel of the Grand Sire in all respects, except that it shall be two inches in diameter.

2568. District Deputy Grand Sire:—A medal similar in all respects to the jewel for the Grand Sire, except that it shall be two inches in diameter.

2569. Grand Representatives and Past Grand Representatives:—A medal, the size and style of the Grand Sire's, with the coat of arms of the State represented.

2570. Past Grand Master:—The sun, with hand and heart, of white metal, two and one-half inches in diameter.

2571. Grand Master:—The sun, with scales of Justice, of white metal, two and one-half inches in diameter.

2572. Deputy Grand Master:—A half moon, of white metal, two and one-half inches in length.

2573. District Deputy Grand Master:—A shield of Sterling silver, one inch and three-quarters wide and two inches long (greatest measurements); the upper part covered with white enamel, with letters D. D. G. M. in blue enamel, the lower part covered with scarlet enamel, bearing the following, in white enamel: A crescent supporting a five-pointed star, with the letters I. O. O. F. below the crescent.

2574. Past District Deputy Grand Master:—The same jewel used for the D. D. G. M., with the letter P. in blue enamel, in the centre above the letters D. D. G. M.

2575. Grand Warden:—Two cross gavels, of white metal, two and one-half inches in length.

2576. Grand Secretary:—Two crossed pens, of white metal, two and one-half inches in length.

2577. Grand Treasurer:—Two crossed keys, of white metal, two and one-half inches in length.

2578. Grand Conductor:—A Roman sword, of white metal, two and one-half inches in length.

2579. Grand Guardian:—Two crossed swords, of white metal, two and one-half inches in length.

2580. Grand Marshal:—A baton, of white metal, two and one-half inches in length.

2581. Grand Herald of a Grand Lodge:—A trumpet, of white metal, two and one-half inches in length.

2582. Past Grand:—A five-pointed star, of white metal, two and one-half inches wide from tip to tip.

2583. Noble Grand:—Two crossed gavels, of white metal, two inches wide, and three and one-half inches long.

2584. Vice Grand:—An hour glass, of white metal, two inches wide, and three and one-half inches long.

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2585. Recording, or Financial Secretary:—Two crossed pens, of white metal, two inches wide, and three and one-half inches long.

2586. Treasurer:—Two crossed keys, of white metal, two inches wide, and three and one-half inches long.

2587. Warden:—Two crossed axes, of white metal, two inches wide and three and one-half inches long.

2588. Conductor:—Two crossed wands, of white metal, two inches wide, and three and one-half inches long.

2589. Guardian:—Two crossed swords, of white metal, two inches wide, and three and one-half inches long.

2590. Supporters of the Noble Grand:—A Wand, of white metal, with two circular arms, connected by three links, and encompassing a gavel, two inches wide and three and one-half inches long.

2591. Supporters of the Vice Grand:—Same, encompassing an hour glass.

2592. Scene Supporters:—Same, encompassing a burning torch.

2593. Chaplain:—Same, encompassing a Bible.

2594. Veteran Jewels:—The design is patented, and the jewels can be purchased from the Grand Secretary of the Sovereign Grand Lodge, on an order from the Grand Secretary of Pennsylvania.

2595. Honorable Veteran Jewel:—Made in two qualities; one of standard metal, and the other of 14-karat gold; on the back of the bar are hinged pin and catch, for fastening. An Honorable Veteran Jewel is sold by the Grand Secretary of the Sovereign Grand Lodge on an order from the Grand Secretary of Pennsylvania

2596. Lodge Street Uniform Jewel:—A jewelled collar, two and one-half inches wide, uniting in a point in front, made of light blue Italian cloth, or other material, except velvet, edged with silver lace or braid, one-fourth of an inch wide, and without embroidery of any kind whatever. A medal to be suspended from the collar, of white metal, one and three-fourth inches in diameter, having on the obverse side, in raised work, the All-Seeing Eye, encircled with rays of light, and on the reverse, also in raised work, three links of the Order, surrounded by the legend, "In God we Trust. Friendship, Love and Truth."

2597. When the law requires that officers wear jewels, it is not a compliance therewith to have them wrought in the regalia.

2598. It is as imperative upon all Grand and Subordinate Lodges to furnish the officers of their respective Lodges with the jewels appertaining to their rank and station, as it is for the members thereof to be clothed in suitable regalia.

2599. It is compulsory for officers of Subordinate Lodges to wear their jewels in connection with their regalia. They must wear jewels. All officers of Subordinate Lodges shall wear the jewels of their office during the transaction of business.

2600. Unless prohibited by local law, the funds of a Lodge may be used to purchase Veteran and Honorable Veteran Jewels for members entitled to wear them.

JUNIOR PAST GRAND.

2601. The Junior Past Grand is not strictly an officer of the Lodge, but it is his privilege to occupy the seat of the Past Grand for one term, and deliver the Past Grand's charge at initiations.

2602. The retiring Noble Grand may be elected Secretary of his Lodge, for the ensuing term, but if he is he cannot be compelled to give the Past Grand's charge at an initiation.

JUNIOR PAST GRAND.

2603. He is relieved of the duty of giving the Past Grand's charge at initiations by the Lodge having elected and installed him as Secretary. He would be competent to give the charge, and could do so, voluntarily, if not in conflict with his immediate duties in the Lodge as Secretary; but could not claim the right, and could not be required to do so.

2604. The Junior Past Grand is not strictly an Officer of a Lodge; it is rather a privilege, as it is an honor to have the right to deliver the Past Grand's charge at initiation.

2605. A Junior Past Grand is not an officer of a Lodge, and cannot be fined as such for absence from Lodge meetings.

2606. A Subordinate Lodge has no right to enact a law making it obligatory upon the Junior Past Grand of a Lodge to perform the duty of Chaplain of said Lodge; nor, if declining to perform said duty, is it competent for said Lodge to fine him for non-performance of duty.

2607. A Subordinate Lodge has not the right to enact a By-Law making it obligatory upon the sitting Past Grand to be a member of the Relief Committee and perform the duties thereof. His is a position of honor for past services rendered, and such sitting Past Grand cannot be fined for non-attendance, nor can any duties be imposed by law upon him outside of those belonging to the position.

KEYS.

See **Cipher Keys.**

2608. No officer, excepting the Noble Grand, or in his absence, the Vice Grand, shall be entrusted with the key of the receptacle of the Rituals and any other officer or member opening the same with other keys, or breaking it open, subjects himself to charges and is liable to expulsion.

LANGUAGE.

See **Interpreter, Trials, Password, Degrees, Initiation.**

2609. In the trial of charges where either party or his counsel does not understand the language in which the proceedings are conducted, such party or counsel cannot be denied the time necessary for the interpretation to him of the proceedings as had by interpreters qualified to be present. A member entitled to address remarks or a communication to any body of the Order, if he be unable to speak or write the language in which such body conducts its work, cannot be denied the right to make such address in English. The Sovereign Grand Lodge refused to repeal the above, as the law was both necessary and proper, and should not be left to local legislation.

2610. The pass words of the Order must all be spoken as written in the English language. The different nations must learn to give them the one universal sound, as nearly as possible, so that the sound of the word will be as familiar to the ear as the signs are to the eye, or the grip to the touch of the hand.

2611. The language used in describing and explaining the use, meaning and manner of performing the signs, grips, etc., may be in the tongue of the people in which the lodges are working; provided always, that the Ritual shall have been published therein.

2612. The Ritual has been translated into the German, French, Spanish, Italian, Norwegian, Bohemian and Swedish languages.

LECTURES.

2613. No brother shall deliver any public lecture or discourse relative to Odd Fellowship without permission of the Grand Lodge Officers.

3614. Members of a Lodge, may, by appointment of the Noble Grand, when the Lodge is opened under the head of the Good of the Order, deliver addresses on Odd Fellowship, or read essays on Odd Fellowship.

2615. The delivery of addresses, or the reading of essays on Odd Fellowship by members of a Lodge (by appointment of the Noble Grand), when the Lodge is opened under the head of "Good of the Order," is not unlawful.

2616. By proper permission, lectures and essays confined exclusively to the subject of Odd Fellowship may be delivered in Subordinate Lodges of the Order.

2617. It is illegal to take the funds of a Lodge to pay for lectures not having for their object the instruction of the public or the members on the subject of Odd Fellowship.

2618. The right to print or publish the lectures, charges or odes adopted by the Sovereign Grand Lodge for the use of Grand and Subordinate Lodges and Encampments under its jurisdiction, or any portion thereof, or any form of diploma now used by the Sovereign Grand Lodge, is exclusively the property of the Sovereign Grand Lodge, and any violation of this right by Grand or Subordinate Lodges, or individuals, is in opposition to the laws, rights and privileges of the Sovereign Grand Lodge. The Grand Masters and Grand Patriarchs of the several Grand Bodies are directed to cause the law of the Sovereign Grand Lodge in this respect to be enforced in their respective jurisdictions.

[NOTE.—"The word Lectures" in the above law is used in the sense as defined by Mackey, "A course of instruction in which the ceremonies traditions and moral instructions appertaining to the degree are set forth." In this sense the Past Grand's charge is a lecture and all official Instructors are in their functions lecturers, hence came the law to regulate them. The word has no reference to what is popularly called "a lecture," and hence this law has no effect whatever on the preceding section under this heading.]

LEGAL REPRESENTATIVES.

See Funeral Benefits, Orphans, Widow.

2619. The laws of the Order do not in any way recognize any claim by legal representatives, as such, for benefits due upon the death of a member. The right to these benefits were never vested in the deceased brother, and consequently they cannot become part of his estate.

2620. The funeral benefits are designed for the comfort of a brother and his family, and to relieve and administer to their personal and present need. If there are dependent relatives, on his decease, the amount due should be paid directly to such relatives, and in no case to his executors or administrators, as in case there were debts, the executors or administrators must apply these funds with others to the payment of debts. It is no part of the design of our Order to pay such debts.

2621. Benefits are rights personal to the member, his family and dependent relatives, and are not payable to the legal representatives of a member's estate; and in case of the death of a brother entitled to such benefits leaving no family or dependent relations, and no other provision is made by the law of the Order for their payment, then the Lodge is not bound to pay the money to any person.

LENGTH OF MEMBERSHIP.

See Graded Benefits.

2622. Lodges may provide by By-Law that an initiate shall receive no benefits until six months after he has received the Third Degree; provided, the same is permitted by the uniform Constitution of the jurisdiction, and the same provision may apply to card members. It is not legal for a Lodge to pass a By-Law making a part of its membership beneficial after three months' membership, and another part non-beneficial until after six months' membership. The six months' clause is null and void.

2623. A Lodge cannot grade its benefits according to length of membership; as, for example, allowing $5.00 per week to members of ten years' standing and $3.00 per week to members of three years' standing.

LIBEL.

2624. A Lodge condemns the action of one of its members by sending out a circular letter stating that such member has misrepresented the facts relating to the selection of a Superintendent for an Orphans' Home, and as such charges against the member are false, the Lodge or those officers or members responsible for the false statements would be amenable to charges.

LIBRARIES.

2625. Lodge libraries are a necessity to the Order, and should, by all means, be encouraged; funds of Lodges may be appropriated for that purpose. The manner and measure of such appropriation are proper subjects of local legislation, but members cannot be taxed to support them.

LIMITATION OF ACTION, CLAIM OR APPEAL.

2626. The Lodges and members of the Order are particularly enjoined to carefully note the several limitations of action, claim and appeal noted in the laws, particularly in the By-Laws of the Grand Lodge, as a failure to act within the prescribed period will be a bar to further action, claim or appeal.

2627. Unless fixed by some local law, there is no limitation to the time within which benefits must be claimed; if, therefore, the Lodge desires to limit applications for benefits to a less period than is provided by the Grand Lodge By-Laws, they must severally so provide in their By-Laws.

2628. A brother who fails to notify a Lodge of his claim for benefits within the period fixed by the By-Laws of the Grand Lodge, loses his right to the benefits by the operation of the law of limitation.

2629. It is proper for a Lodge to require notice to be given it for a demand for sick benefits, and a Lodge has the right to impose a penalty for neglect by a member claiming such benefits to inform the Lodge of his sickness and claim for benefits, the penalty to consist of the forfeiture of such part of the benefits claimed prior to notice as the Lodge may fix in its By-Laws.

2630. Where the Lodge sets up the defence to a claim for benefits that the brother did not file his complaint within the limit allowed by the laws of the Order, the Lodge must show by competent testimony, before the commissioner, that it officially and legally notified the brother of the reason why it refused to pay the benefits, and the date of this notification.

2631. The law of a jurisdiction provides that "no appeal relative to the non-payment of benefits which may be due or claimed from a Lodge shall be acted on when the Brother being absent from the jurisdiction, it appears that more than six months has elapsed from the time the benefits have accrued, or claimed to have accrued, and the filing of the appeal." A brother claimed benefits, which were refused him, and he appealed therefrom; the appeal

was pending for over a year, and in the meantime, although he claimed to have been continuously disabled and entitled to benefits, he neglected to appeal again from the refusal of the Lodge to pay the benefits. Held that the statute of limitations operated to cut off all benefits six months prior to any appeal, and that in all cases of continued sickness or disability under the law, when the brother intends to claim benefits while his appeal is pending, he should, at the end of the limited time, make a new demand, and upon his Lodge again refusing payment, he must again appeal.

2632. A certain case was complicated by a previous appeal, which was not decided for over a year, the appellant claiming that he was entitled to benefits by reason of a continued disability, and that he should not be required to make a second appeal, pending the first one, in order to recover such benefits as may accrue during the pendency of the first appeal. This would certainly leave the affairs of any Lodge in a precarious and unsettled state, and the statute of limitations is intended to have exactly the opposite effect, and it should be the policy of the Order to give it the fullest and widest scope. The very fact of a Lodge refusing to pay a brother benefits, if not prima facie evidence that he is not entitled to receive them, should, at least, be sufficient notice to him that he was under suspicion, which his own welfare and the good of the Order require should be settled without any unnecessary delay. Therefore, in all cases of continued sickness, or alleged continued sickness or disability, under the laws of the Jurisdiction of Pennsylvania, when the brother intends to claim benefits while his appeal is pending, he should, at the end of the limited time, make a new demand, and upon his Lodge refusing payment, he must again appeal.

2633. Where a claim for funeral benefits was not presented to the Lodge for more than six years after the decease of the brother, the claim cannot be considered, the claimant having slept too long on her rights.

2634. A brother was regularly tried and convicted, and the penalty of a reprimand imposed and executed. At a subsequent meeting of the Lodge (on the alleged grounds that the Lodge had voted by ball ballot, instead of viva voce, or written ballot), the matter was reopened, another ballot had, and the brother expelled. Held that the Lodge was clearly estopped from reopening the case, and could not take advantage of its own wrong; (if in error as to the method of voting), that it could not punish twice, and with different penalty for the same offense, and the execution of the first sentence exhausted the jurisdiction of the Lodge. Held, further, that the second proceeding was void, and that it could be so declared whenever attacked with notice to the Lodge. Held, further, that the brother having had no notice of the second proceeding of the Lodge, as required by local law, did not, by three years' neglect, waive his right of appeal therefrom.

2635. A brother was declared off the sick list, but made no complaint of the action of the Lodge until some ten months thereafter, when he appealed to the Grand Lodge. There was a provision in the Lodge By-Laws that if any member believed a brother applying for benefits was not so sick as to be entitled to them, the question should be referred to one or more physicians, whose decision should be final. Immediately upon the appeal the Lodge directed the medical investigation required by law, and this was adverse to the claimant. Held that this decision was final.

2636. The record of a former trial for the same offense effectually bars all further charges and proceedings thereon for the same offense.

2637. The decision in an appeal case by the adjournment of the Sovereign Grand Lodge becomes a final, conclusive, and binding judgment which this Sovereign Grand Body at no subsequent session could set aside or annul, except in a case of gross fraud or mistake, in which the appellant used due diligence and took the proper steps to have corrected. This rule rests upon the most firmly settled principles of law and justice and is the only rule by which all courts are compelled to protect themselves and parties from endless litigation.

LIMITATION OF ACTION, CLAIM OR APPEAL.

2638. A Lodge appealed to the Sovereign Grand Lodge on the ground that the appeal to the Grand Lodge was not taken within the time allowed by the By-Laws. Appeals were required to be taken within twelve months, whereas the appeal was not taken until after the lapse of two and one-half years. In the opinion sustaining the appeal and reversing the action of the Grand Lodge, the Sovereign Grand Lodge said: "Your committee cannot recognize the right of the Grand Lodge to disregard its own By-Laws as in this case. To do so would be to open the doors to all latent claims, thereby involving Lodges in difficulties and probable ruin."

2639. Only strict law can amount to a waiver of a brother's rights, and when it is sought to establish such against him, it is but reasonable and fair to require that the Lodge invoking the rule against him shall have conformed strictly to its laws and procedure relating to the subject.

2640. The By-Laws of the Grand Lodge of Pennsylvania provide the following limitation to appeal cases. No appeal where more than thirty days have elapsed from the time of notice of the judgment of the District Committee on Appeals until the appeal was filed. Whenever this appears, the committee hearing the case shall dismiss the appeal and reaffirm the judgment appealed from.

LIQUORS.

See **Application to Use Name of Order, Regalia, etc., Holidays.**

2641. The habit of drinking intoxicating liquors, or of advertising intoxicating liquors as an attraction upon any picnic or excursion with which the name of the Order is connected, either directly or indirectly, is in violation of existing laws.

2642. All spirituous, vinous and malt liquors shall be excluded from the lodge rooms and ante-rooms, or halls connected with or adjoining thereto under the control of any Subordinate Lodge or Degree Lodge or Encampment of the Order.

2643. Permission to hold, or to manage, or to make arrangements for any entertainment or public demonstration of any kind is always predicated upon the direct promise, through the officers of the Lodge seeking the permission, that no intoxicating beverages of any kind shall be offered to the members or guests present on the occasion.

2644. When the Grand Lodge by a general resolution permits such of the Lodges as desire to do so, to appear in public, or to hold any public demonstration, meeting, entertainment, or the like, and to use the name of the Order or wear regalia, the prohibition above stated concerning intoxicating liquors applies without any express promise having been made by a Lodge or the members thereof.

2645. In the definition of intoxicating liquors, relating to the law of the Order on the subject, reference should be had to the ordinary meaning of the English language, but it is appropriate also to consider the expressions of the highest courts of States in regard to the same subject where it was the question involved in the decision. As our Order conforms to law we should give proper force and respect to the judgment of the courts of last resort where an important question which concerns our Order was judicially determined.

2646. Drunkenness is an offense against the Order at all times and in all places.

2647. The property in which a Subordinate Lodge was held should be a place where all gentlemen could attend without the necessity of passing through a saloon, and if possible to permit no property in the possession of a Lodge to be connected with a saloon, and that under no circumstances should intoxicating liquors be dispensed in or about a Lodge room.

LIQUORS.

2648. The Order believes in a Lodge owning its own property, but under no circumstances should they be permitted to rent or lease said property owned by them for saloon purposes.

2649. A Lodge may not legally lease any part of its Lodge property, or property in its control, directly or indirectly, to any person or persons to be used as a saloon or place to dispense intoxicants and beverages to be drunk there and then on the premises.

LOANS.

See Funds. *See* Appropriations.

2650. Lodge funds cannot be loaned either to members in good standing nor to suspended members. Odd Fellows cannot become security for money loaned from the Treasury of a Lodge.

2651. A Subordinate Lodge is not responsible for money loaned to one of its members by a sister Lodge.

2652. A Lodge cannot loan its funds to a member of another Lodge. The prohibition of loans to members is applicable in such case.

2653. A Lodge cannot loan its funds to members; nor can a member be received as security for any other person to whom its funds may be loaned. Lodge moneys are "trust funds," and should be invested on mortgage or public bonds.

2654. A Lodge having, contrary to law, loaned money to a member, cannot afterwards consider it as weekly dues and suspend the brother from membership for non-payment of the loan. Should the brother neglect or refuse to return the money at the proper time, and his conduct and circumstances warrant it, he may be proceeded against by having charges preferred in regular form for improper conduct, with specifications of the wrong.

2655. The prohibition applies with equal force to loans made to the wife of a member.

2656. A Lodge cannot legally loan money to a canton for ten years, without interest, and take as security chattel mortgage on its regalia.

2657. A Lodge cannot legally divert its fund from the uses for which they were paid in, nor loan the same at any time without ample security being given and a reasonable interest being paid.

2658. A Lodge can loan its funds and make the terms of investment to suit itself, subject to provisions of the laws of the Order restricting the character of such investments.

2659. A Lodge cannot loan any part of its funds upon a note which is joint and several, reading upon its face, "we or either of us" promise or agree to pay. If either of the signers be a member, it may be as between themselves that one is a principal and the other or others sureties, and equity will interpose and reform the instrument, if necessary, for the relief of either; but as to third parties, the signers are all principals, and the Lodge cannot interwrite words that are not found in the instrument itself. The signers being in law all principals, to loan to them is illegal.

LOCAL LAW.

See General Law. *See* Conflict of Laws.

2660. The term local law, as used in the legislation, Ritual, general laws and regulations promulgated by the Sovereign Grand Lodge, so far as the Lodges in this jurisdiction are concerned, means some legislative enactment or decision by the Grand Lodge of Pennsylvania, including the Constitution and By-Laws of the Grand Lodge and the Constitution for Subordinate Lodges, as well as the approved decisions of the Grand Master upon matters

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not covered by the Constitution and By-Laws of the Grand Lodge, or the Constitution for Subordinate Lodges. A Subordinate Lodge does not possess legislative powers, except to make its own By-Laws.

2661. When the Sovereign Grand Lodge confers authority upon the Grand Lodge to make a local regulation upon any subject, it does not thereby oust its own jurisdiction over the subject, but merely confers upon the Grand Lodge a permissive authority which it may or may not exercise to enact regulations upon this particular subject for the guidance of its own subordinates who would otherwise be governed therein by the general law; provided, of course, that the subject is one which the general laws of the Order require shall be accomplished either according to the requirements of the general law, or in accordance with the special regulations of the Grand Lodge. For example, the Sovereign Grand Lodge has said that the payment of weekly benefits of some stipulated amount by Subordinate Lodges to sick members is the distinguishing characteristic of our Order, and may be regarded as the fundamental principle of Odd Fellowship; and it has also said that "the laws of the Order contemplate the payment of benefits to all members in good standing, but they also leave it with State authorities, or if they do not act, with subordinates to prescribe when the benefits are to be given." Notwithstanding this broad delegation of powers to the Grand Lodge on this subject, the Sovereign Grand Lodge has a code of laws, regulations and decisions on this matter, covering over two hundred separate main propositions, with subdivisions, amounting to probably six hundred separate, distinct regulations, among which are many which, like the Minimum Benefit Law, are absolutely binding upon the Grand Lodge and its subordinates, as the following will show: The Sovereign Grand Lodge has declared that the Grand Lodge cannot vary the definition of sickness given by the Sovereign Grand Lodge, nor is any other rule recognized by the general law than that benefits are payable weekly. When local legislation provides for the payment of benefits for fractions of a week, the right to enjoy the benefits accrues at the end of the week of which the fraction is a part, not at the end of the sickness.

2662. Nor does the grant to the Grand Lodge by the Sovereign Grand Lodge of power to make local laws mean that thereby the Sovereign Grand Lodge has declared its own legislation ineffective concerning the particular subject referred to, so far as this jurisdiction is concerned, for unless the Grand Lodge has covered, by its legislation, every possible phase of the subject, the general laws will necessarily supplement and complete the local laws upon this particular subject. For example, the Sovereign Grand Lodge has declared that Grand Bodies do not have an exclusive right to adopt laws regulating the manner in which final cards shall be annulled, but they do possess the right to enact laws relative thereto; provided, they do not conflict with the legislation and decisions of the Sovereign Grand Lodge.

2663. When the Sovereign Grand Lodge confers authority upon the Grand Lodge to make local regulations concerning a particular subject the accomplishment of which is not required by general law, it is illegal for Subordinate Lodges to act on this grant of power to the Grand Lodge until it has accepted and legislated upon the power as granted by the Sovereign Grand Lodge and thus made the subject matter a part of the local laws. For example, while the Sovereign Grand Lodge has said that the Grand Lodge may, by legislation, give its subordinates the right to use their funds to pay a physician who shall be at the service of all the members of his Lodge, nevertheless a Lodge cannot legally employ a physician to attend members in good standing, and pay a certain sum per year out of the general fund, unless authorized by local law to do so.

2664. After declaring that a certain subject is a matter of local legislation, and thereby permitting the Grand Lodge to build up a complete code of laws upon the subject, the Sovereign Grand Lodge may make some enactment which will govern and override all local legislation on this particular subject, and completely defeat the local laws, so far as they may be contrary to this general legislation. For example, the Minimum Benefit Law com-

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pletely modified and repealed all local laws contrary thereto, although the regulation of weekly benefits was and is a subject peculiarly of local law.

2665. All the decisions of the Grand Master made during the recess of the Grand Lodge, whether made on subjects declared to be matters of local legislation, or on subjects regulated entirely by the general law, are, in a certain sense, local laws until declared otherwise by the Grand Lodge or by the Sovereign Grand Lodge, or by the Grand Sire during recess, as the appeal is from the Grand Master to the Grand Lodge, and from the Grand Lodge to the Sovereign Grand Lodge, before the wrong complained of can be corrected by the Sovereign Grand Lodge, even if it be caused by the non-enforcement of a general law, and whether it be to a Lodge or to an individual.

2666. But any construction placed upon the enactments of the Sovereign Grand Lodge by the Grand Lodge, whether by judicial or legislative action, does not thereby become a mandatory local law, binding upon all the Lodges and members of this jurisdiction, but affects and binds only those parties actually before the Grand Lodge on appeal, the determination of whose controversy demanded a finding by the Grand Lodge on this point. And any law, regulation, or mandate requiring that this action shall be final and conclusive for the government of the members and Subordinate Lodges in this jurisdiction, until reversed by the Sovereign Grand Lodge on appeal therefrom, is absolutely illegal, is not in accordance with the fundamental law, or with the practices of the Order, and its authorization by the Sovereign Grand Lodge would be detrimental to the best interests of our organization.

2667. The Sovereign Grand Lodge has made ample provision for the immediate authoritative determination of all questions arising under the general law in that the Grand Sire can be communicated with by the Grand Master (but not by a Subordinate Lodge, or a member of the Order), and submit the question which has arisen, to which the Grand Sire must give an answer, which will be binding upon the Grand Master, and hence upon the Grand Jurisdiction, until it has been reported to and approved by the Sovereign Grand Lodge when it becomes a general law.

2668. The local code of laws, particularly the Constitution for Subordinate Lodges, has been made such a compendium of general law that it would seem to be the better rule in interpreting it or them, not to assume that because a certain requirement appears therein that it is necessarily a local law, but to give careful attention to the general laws of the Order, if any, upon the same subject, and to see whether or not the subject is one declared to be one of local law or of general law exclusively.

2669. When a construction or interpretation of local law is required by any individual member or Subordinate Lodge, the Grand Lodge is the proper tribunal to pronounce on the question, subject to appeal to the Sovereign Grand Lodge, or the Grand Master passes on the same, during the recess of the Grand Lodge, subject to review by the Grand Lodge at its session, and appeal to the Sovereign Grand Lodge, as aforesaid.

2670. The Grand Lodge has jurisdiction to construe its own laws, and having done so, its decision is and should be final.

2671. All Grand Bodies working under charters granted by the Sovereign Grand Lodge are supreme for local legislation and appellate jurisdiction within their respective limits, except as provided in the Constitution of the Sovereign Grand Lodge.

2672. All powers and authority in the Order not reserved to the Sovereign Grand Lodge by its Constitution is vested in the various State, District and Territorial Grand Bodies.

2673. The Sovereign Grand Lodge has no power to direct the Grand Lodge how to frame the Constitution for Subordinate Lodges, except that such Constitution shall not be in conflict with the general law as established by the Sovereign Grand Lodge.

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2674. It is the duty of a Grand or Subordinate Lodge to obey and enforce the laws of the Sovereign Grand Lodge, anything in the Constitution or By-Laws of Grand or Subordinate Lodges to the contrary notwithstanding.

2675. Where the Sovereign Grand Lodge passes any law or makes any decision providing that a Subordinate Lodge shall have power to do certain things which are denied to the subordinate by a clause in its Constitution, framed years since, the Lodge may disregard such prohibitory clause and do those things expressly allowed by the Sovereign Grand Lodge, without becoming amenable to the laws of its Grand Lodge. The Constitution and laws of the Sovereign Grand Lodge are paramount to all laws of a Grand Body, and the latter, so far as they conflict with the former, must yield to them; but this can only be construed to mean that where a Subordinate Lodge disregards the law of its own Grand Lodge, or a provision of its own Constitution, and yet acts in accordance with the laws of the Sovereign Grand Lodge, it is not subject to punishment by its Grand Body. But such subordinate would violate a law of its Grand Body at its peril, and its Grand Lodge would be the proper tribunal to judge of such violation; but if such subordinate had acted in accordance with the laws of the Sovereign Grand Lodge the Sovereign Grand Lodge would, on appeal being regularly taken, protect such subordinate.

2676. The Grand Lodge is the legislative head of the Order in this jurisdiction, and its laws not in conflict with the Sovereign Grand Lodge must be obeyed.

2677. There can be no retroactive law passed, or retroactive interpretation on construction made of any law, except it be remedial in character and in no way affect vested rights.

2678. Subordinates have no legislative power, except to make By-Laws for their own internal government, which By-Laws must be made in accordance with the requirements of the Constitution for Subordinate Lodges.

2679. Whereas, The Sovereign Grand Lodge, I. O. O. F., possessing original and exclusive jurisdiction, the source of all true and legitimate authority in Odd Fellowship, did, by its warrant bearing date the 15th day of June, A. D. 1823, grant authority to certain Past Grands of the Order, resident in the State of Pennsylvania, to form a Grand Lodge of the I. O. O. F., of Pennsylvania, giving and granting to them and their successors by the name, style, and title aforesaid, full power and authority to grant warrants for opening Lodges subordinate to it, for the propagation of the established principles of the Order, with power and authority also to cause all honorary and the first three degrees of the Order to be conferred on deserving members, according to the laws and customs of the I. O. O. F.; and as the grand legislative head of the Order in the State of Pennsylvania, to have and exercise full power and authority to enforce upon its subordinates a strict adherence to the laws of the Order, and to make and establish such rules for their government as, in the opinion of said Grand Lodge, may be for the advancement of the Order, and in conformity to the directions of the Sovereign Grand Lodge. Therefore the whole subject of conflict between local and general laws resolves itself into this, namely: Absolute implicit obedience to the decisions and commands of the Grand Lodge, which thereby assumes entire responsibility therefor to the Sovereign Grand Lodge. To obtain this immunity and to be entirely loyal and subordinate to the Grand Lodge, the Lodge or individual member must not depend upon its or his own construction of the law in any case of doubt, but upon such an interpretation as has been made by proper and competent authority, to wit, the Grand Master, during recess, or the Grand Lodge in Annual Session assembled.

LOTTERIES.

2680. No Lodge, nor any of the members thereof, shall, in the name of the Order, resort to any scheme or raffles, lotteries, or gift enterprises or schemes of hazard or chance of any kind, as a means to raise funds for any purpose of relief or assistance to such subordinates or to individual members.

MANCHESTER UNITY.

See Other Societies.

2681. Members of the I. O. O. F. may unite with any lawful society or association, whatsoever, without severing their connection with the Order.

2682. There is no agreement or recognition for intervisitation between the Manchester Unity and the Independent Order of Odd Fellows under the jurisdiction of the Sovereign Grand Lodge; therefore it is not admissible for a Grand Master of the latter to visit a Lodge of the former, either as an officer or member of the I. O. O. F.

2683. A Lodge may admit by initiation a member of the Manchester Unity who retains membership in that organization.

2684. There is no communion with the Manchester Unity of Odd Fellows and our Order. We know nothing of their clearance cards, and hence persons holding such cards can only come into our Order by initiation, precisely as other initiates.

MANDATE.

See Grand Master, Decisions. *See* Mistake of Lodge.

2685. A Mandate is an official command addressed by the Grand Master to a Subordinate Lodge, to control its conduct in a specific manner. No action can be taken by a Subordinate Lodge on a Mandate of the Grand Master, except such action as is necessary to fulfil the Mandate. The Mandate must be complied with before an appeal can be entertained by the Grand Lodge.

2686. The Grand Master, as the executive officer of the Grand Lodge, must see that the laws and practice of the Order are observed throughout his jurisdiction. In correcting errors or giving instructions he may employ such means to accomplish his purposes as in his judgment may seem to be necessary and safe and for which he is willing to be responsible.

2687. A Lodge must obey the Mandate of the Sovereign Grand Lodge, and it is the duty of the Grand Master to see that it does so, using, if necessary, all the powers and remedial authority vested in him as Grand Master. But the Grand Sire has no authority to issue a Mandate to a Subordinate Lodge, or to exercise any of the supervisory power vested in the Grand Master.

2688. The Grand Master's official relations are entirely with the Lodge, not with the officers; in case an officer disobeys the law, or refuses to follow the instructions of the Grand Master, he has no power to summarily remove the officer, but it is his duty to inform the Lodge that unless it shall require its officers to conform to the directions as given by the Grand Master, it will be dealt with for insubordination.

2689. The Lodge has no choice in the matter, it must obey the Mandate of the Grand Master, when, if it is aggrieved, it may appeal to the Grand Lodge.

2690. If a Lodge to which the Grand Master has issued his Mandate persists in disobedience, he may suspend the Lodge and demand its charter for insubordination.

2691. No change in the administration of the office of Grand Master can be taken advantage of. If a Lodge does not perform its duty by obeying a Mandate of the Grand Master before the end of his term, it is the right and duty of his successor to enforce all the Mandate of his predecessor, and to issue such further order as will carry the same into effect.

MEETING PLACE.

See Halls.
Investment.
Liquors.

See Building Associations.
Trustees.

2692. The Grand Lodge cannot compel a Lodge to meet in any particular room against the consent of such Lodge.

2693. The Grand Lodge has authority to prohibit meetings from being held at places that may not be deemed sufficiently private and secure from intrusion.

2694. An order of the Grand Lodge which prohibits a Lodge from meeting in a suitable room is erroneous.

2695. The Grand Lodge disapproves of Lodge meetings in taverns. Under no circumstances should a Lodge be instituted in any portion of a tavern, and those who meet in taverns should as speedily as possible remove therefrom.

2696. Under the general laws of the Order all spirituous, vinous and malt liquors are excluded from Lodge rooms and ante-rooms and halls and connected with or adjoining thereto.

2697. The property in which a Subordinate Lodge is held should be a place where all gentlemen could attend without the necessity of passing through a saloon, and if possible to permit no property in the possession of a Lodge to be connected with a saloon, and that under no circumstances should intoxicating liquors be dispensed in or about a Lodge room.

2698. A Lodge is bound to see to it that no person is permitted to gain a knowledge of what is going on in the Lodge room by approaching it too closely.

2699. The meeting place must be situated within the territory over which this Grand Lodge has jurisdiction. It cannot be situated outside of the State.

2700. A Lodge can only have one meeting place; it cannot by dispensation or otherwise meet alternately in two separate towns.

2701. A removal or change of meeting place is unlike a surrender of a charter, in that it cannot be defeated by five members who desire to remain at the old meeting place; if the requirements of the Constitution are carried out, the requisite number of votes are cast in favor and the Grand Master approves, the removal shall be made.

2702. A Lodge is not entitled to receive permission to remove, or change its place of meeting from one Lodge room to another, in the same town or city, without first fully complying with the requirements of the Constitution for Subordinate Lodges.

2703. In the absence of Constitutional authority or legislation, it is not within the power of a Grand Master to authorize the removal of a Lodge from one town or city to another.

MEETINGS.

(a). Grand Lodge.
See Meeting Place,
Quorum.
Initiation.
Degree Staff.

(b). Subordinate Lodge.
See Entering and Retiring.
Degrees.
Special Meeting.
Noble Grand.

(a). Grand Lodge.

2704. The place designated in the charter is the seat of a Grand Lodge until properly changed. It is, however, the legal right of a Grand Lodge to hold its sessions from time to time at such place within its own jurisdiction as may be determined upon at any preceding meeting.

MEETINGS—Grand Lodge.

2705. Grand Bodies shall have the power and privilege to determine in their Constitution and By-Laws where their sessions shall be held.

2706. When the place for the holding of the sessions of the Grand Lodge is fixed by Constitutional provision or by By-Law, the only manner of removing the body is by alteration of the Constitution or of the By-Law which fixes the location, in conformity to the rules laid down in its Constitution for such change. In the absence of such Constitutional provision, and where the only designated place of meeting is in the charter, the charter would be but a rule of order, so far as it designates the place of meeting, and is alterable at the will of the Grand Body.

2707. The Sovereign Grand Lodge has not the power to permit a Grand Lodge to meet or hold a session in a place other than that designated in its Constitution. The only way is to amend that instrument.

2708. A Grand Lodge amending its Constitution as to the time of annual meeting in accordance with its provisions, must meet at the time fixed by the amendment.

2709. Where the By-Laws of a Grand Body provide for an "annual" session and the date of said session is changed so that two sessions would occur in the same year, the Grand Body cannot meet in session a second time that year, except by a special enactment providing therefor.

(b). Subordinate Lodge.

2710. Any dispensation of a Grand Master or Grand Lodge to dispense with the regular meetings of a Subordinate Lodge is illegal and cannot be exercised.

2711. Adjourned meetings of a Subordinate Lodge are not recognized as legal. A Lodge may hold special meetings when necessary.

2712. It shall be lawful for the Subordinate Lodges of this Order, whenever their stated meetings fall upon any national anniversary, Thanksgiving, and other legally established or generally recognized holidays, to omit holding a meeting

2713. A meeting held on a general holiday is legal, unless prohibited by local law.

2714. Meetings of all Subordinate Lodges must be held only on a week day and on regular specified days in the week.

2715. No Lodge, or Degree Lodge, shall hold any meeting for work or business upon Sunday, except for funeral purposes.

2716. It is a fundamental requirement that all Lodges working under the immediate jurisdiction of the Sovereign Grand Lodge must meet once a week, and twenty-six of these constitute a term of six months, and this rule holds good in all cases where a different rule has not been prescribed by Grand Lodges as authorized by law.

2717. The Grand Master has no authority to grant a dispensation to temporarily change the meeting night of a Lodge.

2718. A meeting of a Lodge was called informally and not in accordance with its By-Laws to receive the Grand Master and listen to his instructions. Held that the Lodge could not vote money to pay the Grand Master's expenses or do any legal business at this meeting.

2719. When for any reason no meeting is held by a Lodge upon its regular meeting night, it is nevertheless the duty of the Lodge to have its Secretary present to receive the members' dues so that they may be given the opportunity provided for in the Constitution for the payment of dues.

MEETINGS—Subordinate Lodge.

2720. A subordinate cannot change its night of meeting without altering its By-Laws, and approval by the Grand Master.

2721. Where several subordinates meet in the same hall, in the absence of any agreement giving to any one of said subordinates any superior right of control to the hall, neither one of said subordinates has power to change its night of meeting in the same hall so as to interfere with the meeting of either one of the other subordinates.

2722. The subject of opening a Lodge at the time of its regular meeting, in the absence of all Past Grands and the Noble Grand and Vice Grand, is regulated to a certain extent by the obligations and charges of the officers of Subordinate Lodges. Beyond this, it is within the custody of the legislation of the Grand Lodges and by the By-Laws of Subordinate Lodges.

2723. A Lodge may hold a meeting when there is no Noble Grand or Vice Grand present. If there is a quorum of Third Degree members present they can select one to preside for a temporary organization, then enter the facts in the minutes.

2724. The members and officers must be clothed in proper regalia, according to their rank and station, in order to legally hold a Lodge meeting.

2725. To hold or continue a Lodge meeting, there must be a quorum present.

2726. In the absence of a quorum, no meeting can begin, while on the failure, at any time during the session, of a quorum, the Lodge is closed without form. A Lodge cannot, however, close until it has disposed of the claims of the sick brothers, as reported by the Relief Committee.

2727. The fact that a member is present during a meeting of a Lodge is not prima facie evidence of his right to participate in the proceedings of the meetings, because the qualifications required to entitle a brother to be present at a meeting are not identical with the qualifications required to entitle a brother to participate in the proceedings of a meeting.

2728. A Lodge cannot change its night of meeting by a motion; this must be done in the manner prescribed by the Constitution for Subordinate Lodges.

2729. A Lodge was peremptorily obliged to remove from the room occupied by it, it being about to be torn down, and no place of meeting could be found, until a new room that was in process of erection could be completed. While the Grand Master regarded the granting of such permission as the extreme limit of official authority, he had no alternative but either to grant the dispensation asked for, or know that the Lodge, by compulsion of circumstances, would do what he refused to sanction. He therefore granted permission to dispense with the ordinary stated meetings of said Lodge, exacting, however, that the officers should meet to receive and act on reports of the sick, and to receive the dues of members. The Grand Lodge decided that the Grand Master was right in granting the dispensation, and that he had the power to do so under like circumstances when a Lodge can secure no immediate place of meeting, that would properly guard the secrets of the Order.

2730. The Holy Bible is an integral part of Odd Fellowship, and it is necessary that it shall be present in every Lodge while open for business.

2731. To hold a legal meeting the charter must be present in the Lodge room while the Lodge is open for business.

2732. The odes shall bear the imprint of the Sovereign Grand Lodge, and they constitute an integral part of the opening and closing ceremonies of a Subordinate Lodge.

2733. All the business of the Subordinate Lodge must be transacted in the Third Degree, or the Degree of Truth. The Lodge shall open in each

degree, for the purpose of conferring the degrees, and each degree shall be conferred when it is opened in that degree. Every Subordinate Lodge must open in the Third Degree, and no other form of opening is recognized by our laws. When reduced to the Initiatory, the First or Second Degree, it is the same Lodge, but open for specific purposes only in a lower degree. The Subordinate Degree Lodge opened at the beginning is not closed in any sense except to confer degrees, until formally closed at the end of the session.

2734. The order of business contained in the printed work of subordinates is to be considered in the light of a recommendation merely; it is no part of the work of the Order properly so called. If they can conveniently adhere to the form in the ritual, it is only proper that they should do so; if they cannot, they may regulate the order of business to suit their particular necessities.

MEMBERSHIP IN THE GRAND LODGE.

See Degrees—Past Grands. *See* Degrees—Grand Lodge.

2735. A Past Grand cannot, under any circumstances, be admitted to membership in the Grand Lodge without presenting a regular Past Grand's Certificate. A Past Grand cannot be admitted upon a Representative's Certificate, nor upon the Semi-Annual Report of his Lodge, nor upon any voucher, except the certificate prescribed in the Constitution of the Grand Lodge. Neither the Grand Officers nor the Grand Lodge can override the Constitution.

2736. The Grand Lodge Degree can only be given when a Past Grand becomes a member of the Grand Lodge.

2737. When a Past Grand presents a proper Certificate of qualification, the Grand Lodge has no authority to reject him upon alleged improprieties of conduct. If he came properly accredited he should be received. [S grees for the form of certificate required.]

2738. District Deputies have no power to confer the Grand Lodge Degree; it must be conferred by the Grand Body, and can regularly be given only during the session, and in the room in which the Grand Body is assembled; out by special permission it may be conferred in some contiguous room.

2739. The first Noble Grand of a new or revived Lodge who has served the necessary time is entitled to the Past Official Degree, and is therefore eligible to membership in the Grand Lodge the same as though he had performed actual service as Vice Grand, and in an appointive Subordinate Lodge office.

2740. In this jurisdiction the continued exercise by a member of the Grand Lodge of his right of visitation to the Grand Lodge, voting for Grand Lodge Officers, holding office in the Grand Lodge and acting as Representative therein for his Lodge, depends upon his good standing in his Subordinate Lodge. He cannot be admitted to the Grand Lodge without the term pass word.

MEMBERSHIP IN SUBORDINATE LODGE AND IN THE ORDER.

See Qualifications for Membership.
Application for Membership.
Proposition.
Investigating Committee.
Ballot.
Initiation.
Initiation Fee.
Admission of Members of the Order.
Illegal Election and Admission.
Rejection.
Residence.
Transfer of Membership.
See Suspension.
Expulsion.
Visiting Card.
Withdrawal Card.
Dismissal Certificate.
Defunct Lodges.
Certificate to Member of Defunct Lodge.
Rank.
Honors of Office.
Eligibility to Office.
Renunciation.
When Complete.

2741. Membership in a Subordinate Lodge, and therefore in the Order, may, after a favorable ballot, be obtained by:

Initiation,

or it may be obtained by admission by

Deposit of Visiting Card,
Deposit of Withdrawal Card before one year,
Deposit of Dismissal Certificate,
Deposit of Official Certificate
Deposit of Defunct Lodge Certificate,
Reinstatement
Restoration after expulsion or suspension,

or it may be obtained as an Ancient Odd Fellow, after

Resignation or

Withdrawal from the Order after one year.

2742. Active membership in the Order and in its several branches depends upon continued membership in a Subordinate Lodge.

2743. For example, a charter cannot be granted to petitioners, all of whom are holders of Dismissal Certificates, but they and holders of expired Withdrawal Cards may join in a petition for a charter with ten Third Degree members in good standing in a Subordinate Lodge, or ten holders of unexpired Withdrawal Cards, and thus become charter members. Resignation severs membership instantly and totally, and Dismissal Certificate is simply evidence of resignation. Holders of unexpired Withdrawal Cards, although not members in the strict sense of that term, are, to a certain extent, subject to the jurisdiction of the Order, as these cards may be annulled within one year from their date, but after that time they have no force or validity, and cannot be annulled. Hence, it follows that holders of expired cards are not members of the Order, nor are they brother Odd Fellows, and the same is true of holders of Dismissal Certificates.

2744. To acquire and retain membership in an Encampment subject to certain temporary exceptions, full membership and good standing in a Subordinate Lodge in good standing is indispensably necessary.

2745. In the case of brothers, membership in a Rebekah Lodge is dependent on continuous good standing in a Subordinate Lodge, except that if a brother shall take a Withdrawal Card from the Subordinate Lodge of which he may be a member, his membership in his Rebekah Lodge shall not be affected thereby for one year from the date of said Withdrawal Card, if during that time he shall keep his dues paid up in the Rebekah Lodge; and if he shall, during said year, become a member of another Lodge, by deposit of said card, his membership in the Rebekah Lodge shall not be affected by the taking of the card.

2746. A brother desirous of availing himself of the provisions of the laws, relating to the transfer of membership, shall send with his application for a Withdrawal Card the sum of 25 cents (cost price of such card), and an additional

amount equal to four weeks' or one month's dues, which shall entitle the brother to the protection of the Lodge from which he proposes to withdraw, as far as benefits are concerned, for the period of four weeks or one month, or such less time as may be necessary to complete the transfer of his membership.

2747. No one can hold membership in more than one Subordinate Lodge at the same time.

2748. It is a settled rule of the Order that a brother suspended by his Lodge is still a member of that Lodge, and subject to its rules and discipline; therefore a brother suspended for non-payment of dues by one Lodge cannot be admitted to membership in another without being reinstated in the Lodge from which he was suspended, and obtaining a regular Withdrawal Card after reinstatement, except by receiving a Dismissal Certificate, or if the Lodge be defunct, receiving a Dismissal Card from the Grand Secretary.

2749. Where a brother who was under suspension for non-payment of dues applied to and was initiated into another Lodge, replying to the question asked of every initiate that he had never been an Odd Fellow, and did not stand under sentence of suspension or expulsion from any Lodge of the Order, and on subsequently becoming sick informed the Relief Committee of the Lodge that he was a suspended member of his old Lodge, and exhibited to the members of that committee his Odd Fellow's mark, on which was engraved the name and number of said Lodge. The Lodge thereupon refused to pay him any more benefits. It was held that the brother being a member of one Lodge cannot apply for membership in another while the suspension in the first named Lodge exists. He must regain active membership in or be dismissed from the Lodge to which he still belongs. The brother has neither been reinstated in nor had taken a Dismissal Certificate from his Lodge when he applied for admission and was admitted into the second Lodge. The brother must be presumed to know the law of the Order, and that his membership in his old Lodge still continued. Therefore the brother was never legally admitted to the second Lodge, and this Lodge is not liable to him for sick or funeral benefits.

2750. Membership in the Order may be lost by:
Death.
Withdrawal, after one year.
Resignation.
Renunciation.
Dismissal.
Expulsion for cause after charges preferred.
Or by the expulsion of the Lodge to which the brother belongs.
And membership in the Order may be in abeyance through:
Suspension for non-payment of dues.
Suspension for cause, after charges preferred.
Suspension of the Lodge to which the brother belongs.
Or by the voluntary surrender of the charter of his Lodge.

2751. An initiate, immediately upon his admission to the Third Degree, becomes entitled to all the privileges of Subordinate Lodge membership, among which is the right to speak and vote on any question before the Lodge; before that he is an initiate contributing member; that is, he has the right to visit the Lodge when open in the degree he has taken, and to pay dues.

2752. The Scarlet Degree is the highest degree in a Subordinate Lodge, and one of that degree is the peer of any member of the Lodge and qualified to enter into and take part in the transaction of the business of the Lodge, and is qualified to sit on any trial committee selected by the Lodge.

2753. By the general laws of the Order, all contributing members of a Lodge are of necessity and of right possessed of beneficial membership therein which they can only lose, while their membership continues, through their

own neglect in becoming in arrears, or which privilege can only become in abeyance through punishment by suspension for charges.

2754. The exceptions to this general rule are such non-affiliated Odd Fellows and aged members of defunct Lodges who have been admitted as non-beneficial members, and aged members of the Lodge who, being liable to suspension for non-payment of dues, and who, being within the terms of the law, have voluntarily gone on to the non-contributing list, and those who are suspended for cause for a temporary period; but non-beneficial membership cannot be obtained by initiation or in any way but by the exceptions above stated.

MEMORIAL DAY.

See Appropriations.
Liquor.
Special Meetings.
Holidays.

See Permission to use name of the Order.
Dispensations.
Music.

2755. Subordinate Lodges are requested to regard the second Tuesday in June as Memorial Day, upon which they can assemble and engage in appropriate memorial exercises respecting their deceased members; provided, however, that if a different day be more convenient for this jurisdiction to hold such Memorial Service, the Grand Lodge may select the day to commemorate its honored dead, and the Grand Master may issue his proclamation accordingly.

2756. It is lawful to hold memorial services on Sunday.

2757. It is not necessary that each Lodge should act separately; several Lodges may hold joint exercises at a selected Lodge room or suitable hall.

2758. The placing of some symbol or flag over the grave of Odd Fellows when decorating on Memorial Day is recommended.

2759. General permission has been given by the Grand Lodge to parade in the regalia on Memorial Day until further ordered by the Grand Lodge, subject to the rules and regulations of the Order.

2760. A Subordinate Lodge may expend a reasonable amount of its funds to defray the necessary expenses incident to Memorial Day in such a manner as shall tend to promulgate and illustrate its principles or to elevate it or dignify it in the eyes of the community, such as hiring halls, paying for printing, procuring orators, etc., but not for those things which contribute merely to the pleasure or gratification of the individual member, such as parties, balls, picnics, excursions, banquets and the like, and within these limits the question is one for the subordinate or its immediate Grand Jurisdiction.

MILEAGE.

See Representative. *See* Credentials.

2761. Mileage cannot be paid to Past Grands other than officers and representatives in attendance at a session of the Grand Lodge.

2762. Where the Constitution provides that the business of the Grand Lodge shall be transacted by the elective officers of the Grand Lodge, Past Grand Masters in good standing, and representatives, the Grand Lodge has authority to adopt a resolution that Past Grand Masters be paid mileage the same as Grand Officers and Representatives.

2763. A Representative who does not attend the session is not entitled to mileage.

2764. A Representative shall not be entitled to mileage unless he be present at the opening of the Grand Lodge on the second day of the session and answers at roll call.

2765. Fines imposed upon Representatives for absence during the session without leave shall be deducted from their mileage.

MILEAGE.

2766. A Past Grand must have been acknowledged as a Representative, and must answer roll call or be excused by the Grand Lodge before he is entitled to receive his mileage.

2767. A Representative who attended Grand Lodge and missed roll call is not entitled to mileage.

MINIMUM BENEFITS.

2768. By the general law it is made obligatory upon each Subordinate Lodge of the Order to pay from its funds during the continuance of the disability a weekly benefit of not less than two dollars to every member entitled to sick benefits by the Constitution or By-Laws of his Lodge, who shall be disabled by sickness or bodily injury from following his usual occupation or otherwise earning a livelihood for himself; provided, such disability be not the result of his own vice or immorality; provided, however, that Grand Lodges may provide that when a member shall have received one full year's benefits, the weekly benefits thereafter to such member may be fixed at not less than one dollar per week.

2769. The Minimum Benefit Law takes precedence over all existing laws, in so far as it is in conflict with them.

2770. The term "every member" used in the Minimum Benefit Law, means "every member entitled to sick benefits by the Constitution or By-Laws of his Lodge."

2771. The Minimum Benefit Law of 1892 being practically a repeal of the law of 1891, revives the powers of Grand Bodies which were abrogated by the latter. On and after January 1, 1893, the powers that were withdrawn from subordinates in the matter of benefits by the legislation of 1891, may be exercised by them to the same extent as prior to January, 1892, except in so far as they may conflict with the requirements of the Minimum Benefit Law; that is to say, the payment of not less than two dollars per week for the first year of continuous sickness, and not less than one dollar per week during the further continuance of the same sickness.

2772. That intent was not to repeal the various laws giving Subordinate Grand Bodies power to define when and how a member becomes beneficial. It was not to inaugurate any new law, but simply to enforce the old law, "that substantial benefits must be paid to members in sickness," by defining the smallest sum that could be considered a sick benefit. The Minimum Benefit Law does not conflict with, or repeal, any of the limitations, or disabilities, previously imposed by general law, or left to the control of Subordinate Jurisdictions; but it requires simply that wherever, under general or local law, a member is beneficial, he shall receive not less than the amount specified in the resolution of 1892.

2773. By the General Law any system of reducing or fixing a scale of benefits always includes previous sickness in the calculation unless expressly stated otherwise. In calculating the "year," such time as the member may have been sick or disabled prior to the law going into effect, must be taken into account, for example, if a member has been sick and receiving benefits under the laws of his Lodge for one year prior to January, 1893, then the law as enacted by the Sovereign Grand Lodge, only makes it incumbent on the Lodge to pay him at least one dollar per week during the remaining period of his sickness or disability. If the Lodge has been paying such benefits for six months prior to January, 1893, then the law requires that benefits for six months after January 1st, 1893, shall be at least two dollars per week, and thereafter, one dollar per week.

2774. The law does not necessarily mean absolute continuity of sickness; therefore if the By-Laws of a Lodge so provide, the benefits may be reduced to one dollar per week, after he has received one full year's benefits, or any like fair proposition which may be approved by the Grand Lodge.

2775. An amendment to a By-Law of a Lodge, reducing the amount of sick benefits upon continuous sickness or disability, which is general in its

terms and does not specifically except any of its members from its operation, is binding upon all the members of such Lodge when approved by the Grand Lodge of the jurisdiction, and according to the general law would include previous sickness in determining a brother's right to the benefits fixed by the scale.

2776. A Lodge may provide in its By-Laws for the payment of a larger sum per week for benefits than the minimum required by law; provided, of course, that it increase its weekly dues accordingly.

2777. The Grand Lodge may reduce the minimum benefits to one dollar after the first year by a general law, or by approving the By-Laws of a Lodge so fixing them. But the approval by the Grand Lodge of a By-Law of one of its Subordinate Lodges fixing the benefits to be paid at one dollar after the first year, does not make it a general law.

MINOR.

See Orphans. *See* Funeral Benefits.

2778. A Lodge may receive an application from, but cannot initiate a candidate under the age of twenty-one years.

MINUTES.

See Protest. *See* Entering and Retiring.
Appeals. Charges.
Claims for Benefits.

2779. The Grand Lodge has the undoubted right to omit recording such of its proceedings as in its judgment should not appear upon the record.

2780. The Grand Master does not possess the right or power to cause a mutilation of the records of the proceedings of the Grand Lodge, either before or after their publication.

2781. The Grand Secretary is bound to report a correct transcript of the proceedings of the body, and the body itself possesses the sole right to judge of and act upon a disputed fact of record.

2782. The minutes of a Lodge must be a true record of its proceedings, whether those proceedings have been legal or illegal; and when the minutes of a previous meeting have been read, the only question shall be as to the correctness of the record.

2783. After the time for correcting and approving the minutes of a Lodge have gone by, and a mistake or error is discovered, it can be corrected.

2784. It is not competent for a Lodge to expunge, or efface by drawing black lines around any portion of its minutes. If the Lodge is dissatisfied with any action of a former meeting, they may rescind or reconsider in the proper mode, but it cannot be expunged.

2785. A Grand Lodge cannot require a Lodge to mutilate its proceedings.

MISTAKE OF LODGE.

See Arrears.

2786. A Lodge notified its members that two dollars would be placed to the credit of every member who appeared in parade, but failed to notify them of the mandate of the Grand Master forbidding this act. A member who believed himself to be in good standing from this credit was taken sick. A Lodge cannot take advantage of its failure to notify its members of the mandate of the Grand Master. The brother is entitled to benefits if these facts are established.

MOTIONS.

2787. Upon a motion having been regularly made, the presiding officer may, if he deem proper, silently second it by saying it had been moved and seconded, without waiting for the motion to be formally seconded.

2788. The Noble Grand has no right to refuse to put any legitimate motion to his Lodge; his differing from the Lodge has nothing to do with the matter.

2789. The same rule holds with reference to the Grand Master when presiding at the session of the Grand Lodge.

2790. Should a motion be clearly illegal, it is his duty to declare it out of order, and should his decision be reversed by the Lodge, and the motion prevail, it is his duty to immediately appeal to the Grand Master, so that the Lodge's action out of deference to the Grand Master and the supersedeas caused by the appeal, will be in abeyance until his decision is obtained.

2791. By parliamentary law no motion can be reconsidered but once. If the motion is made and indefinitely postponed, and the rules of the Lodge provide that indefinite postponement cannot be reconsidered, that ends the power of the body to reconsider.

MUSIC.

See Anniversary.
Meetings.
Funeral.
Special Five Per Cent. Fund.
See Memorial Day.
Appropriations.
Processions.

2792. A Lodge, Degree Staff or Team may use such appropriate music as it may deem advisable; but the publication by any person of music for use in degree work, unless authorized by the Sovereign Grand Lodge, would be a violation of the laws prohibiting the use of the name or emblems of the Order in private enterprises.

2793. The expenditure of Lodge funds, for music to accompany a parade or as an attractive feature in connection with and as part of the prescribed ceremonies for the celebration of the Anniversary of the Order, is authorized, subject to such limitations as may be made by local legislation, as a part of the legitimate expenses incident to the celebration of the Anniversary of American Odd Fellowship on April 26, and Memorial Day, but for no other days.

2794. It is not lawful for a Lodge to appropriate money from its regular funds for music at the funeral of a brother.

2795. The special five per cent fund authorized by law may lawfully be appropriated for music at the funeral of a member.

NAME.

(a). Of Lodge.
See Emblems and name of Order.
(b). Of a Member.
See Charter.

(a). Of Lodge.

2796. No Lodge hereafter instituted shall be allowed to be named after any person living at the time of its institution.

2797. The law which prevents the name of any person while living to be used as the chartered name of a Lodge cannot be evaded by dropping the given name of the person.

2798. A Lodge cannot adopt the Christian or surname of a living individual when it is adopted as an honor to such living individual.

NAME—Of Lodge.

2799. The name of no living person shall be used as the chartered name or title for any Lodge or Encampment, to be instituted under the immediate jurisdiction of the Sovereign Grand Lodge, or under that of any jurisdiction subordinate thereto.

2800. The Grand Lodge has the authority to grant a charter for a new Lodge with the name and number of a defunct Lodge.

2801. By the general law a Lodge cannot adopt any other name than, or add any other qualifying word or words to the name designated in its charter.

2802. By the general law, if a Lodge desires to change its name it must follow the regulations prescribed by the Grand Lodge to govern such applications and changes.

NOTE.—The Board of Grand Officers have adopted the following Rules for the Change of Name of a Subordinate Lodge: *Resolved*. That whenever a Subordinate Lodge shall for any purpose desire to change its name a resolution shall be presented to the Lodge setting forth all the reasons why the change should be made, and thereupon the action of the Lodge upon the resolution shall be the same as is prescribed by the Constitution for Subordinate Lodges for the change of meeting place, and if the action on said resolution be favorable and the same shall be so certified as required by said Constitution, the Grand Master shall present the same to a meeting of the Board of Grand Officers, when if approved by them the proper endorsement shall be made by the Grand Master, and attested by the Grand Secretary over the seal of the Grand Lodge on the Charter of the Lodge certifying to the change of name whereupon the Lodge shall be known by the name, style and title which it has adopted in accordance with these rules. *Provided*, nevertheless, that this change of name shall in no way affect the rights and liabilities of the Lodge or its members as acquired or incurred under the old name.

2803. While several Lodges in this jurisdiction have changed their name, nevertheless it does not appear that the Grand Lodge has ever prescribed any regulations governing such application and changes, nor is the record clear as to the procedure followed in any particular case where the name of a Lodge has been changed.

2804. Before a Lodge regularly instituted by competent authority, which authority approved the name and location, as well as the character of the brothers to compose the Lodge, and nothing since its institution having occurred to deprive it of any rights or privileges thereby granted, and its growth having been phenomenal, should be required to change its name, the best of reasons should be assigned.

(b). Of a Member.

2805. The name given by a member at initiation when he signs the Constitution, is the one he is to be known by in all his future dealings with the Lodge and the Order. The fact that this was an assumed name makes no difference.

2806. Where a person, who had been admitted a member of the Order under an assumed name, adopted when a boy to conceal from his parents the knowledge of the fact that he had enlisted in the United States Army, petitioned the Sovereign Grand Lodge for leave to re-enter the Order under his right name. Held that the subject was a proper one for local legislation.

2807. If a brother desire to change his name to his correct one, he must present a petition to his Lodge, setting forth the facts, when, if the Lodge grants him permission, he must again sign the Constitution, using this time his correct name, whereupon his name will be changed on the other books of the Lodge, and he will be known accordingly and continue his membership under the new name.

2808. When, at a regular stated meeting of a Lodge, Brother Past Grand Nathan Rollins requested to have his name changed from Rollins to Rolle, it being a custom of his religious faith when marrying they have the privilege of choosing either his or her name, the question is, is it legal, under the law of the Order, to change a member's name on the books of the Lodge

NAME—Of a Member.

from the name he was initiated under. It was held that the Lodge might grant the request, and when the brother signed the Constitution he would be known in the Lodge by his new name.

NEW TRIAL.

See Trial. *See* Charges. *See* Claims for Benefits.

2809. A new trial necessarily vacates the former judgment, but it can only be obtained by appeal to the Grand Lodge, or from it to the Sovereign Grand Lodge. The Lodge exhausted its jurisdiction when it entered its judgment.

2810. The action of the Grand Lodge on an appeal by a brother expelled by his Lodge is final and conclusive, no appeal being taken to the Sovereign Grand Lodge. The Grand Lodge cannot, at a subsequent session, reopen the case and again hear and determine it.

2811. In such case, when an appeal is taken to the Sovereign Grand Lodge, which appeal is sustained and the Grand Lodge directed to restore the appellant to membership, the Sovereign Grand Lodge cannot, at a subsequent session, reopen and again consider the case.

2812. A brother was convicted upon charges and a penalty of reprimand imposed and inflicted; at a subsequent meeting the Lodge voted to set aside the penalty, because of an alleged irregularity in voting, and thereupon expelled the brother. Held that such expulsion was void. The Lodge was estopped from reopening the case, as its jurisdiction was exhausted, even if there had been an irregularity in the balloting, as the Lodge could not take advantage of its own wrong.

2813. The Grand Lodge, or the Sovereign Grand Lodge, on appeal, may reverse absolutely, without granting a new trial.

2814. Where a brother is convicted of an offense and sentenced, which conviction and sentence, on appeal, are reversed, as well on the law as on the facts, it amounts to an acquittal, and it is, under these circumstances, against all justice and all precedent to order a new trial upon the same charges and for the same offense.

NOBLE GRAND.

(a). Eligibilty to.
(b). Powers and Duties.
See Degrees—Past Official.
Degrees—Grand Lodge.
Honors of Office.
Nomination.
Election.
(c). Absence of Noble Grand.
See Good Standing.
Term.
Dispensation.
Appeals.

(a). Eligibility to Noble Grand.

2815. To be eligible to the office of Noble Grand, a member must be in good standing, and have served a term in the office of Vice Grand of a Subordinate Lodge.

2816. It is legal to nominate a Vice Grand for Noble Grand, as his term of office will have expired previous to the time of his installation into the office of Noble Grand. The law is satisfied if the officer elect is found eligible at the time of his induction into office.

2817. A brother is eligible as Noble Grand if he is a Past Vice Grand of any Subordinate Lodge. It is not necessary that he should be a Past Vice Grand of his own Lodge on its electing him Noble Grand.

NOBLE GRAND—Eligibility to Noble Grand.

2818. No failure to be installed or to serve on the part of a Noble Grand elect, or vacation of office after he has assumed his place and performance of the duties of the Noble Grand can entitle a Vice Grand to the office, unless he has been lawfully elected thereto.

2819. The Vice Grand is not eligible to election as Noble Grand unless he has served a majority of nights in his office, and to the end of the term or is otherwise competent by reason of all the exceptions to the law.

2820. A Vice Grand may be elected to fill a vacancy in the office of Noble Grand if all the qualified brothers decline, and a dispensation is obtained for a term of service.

2821. The law does not mean that every Past Grand belonging to the Lodge must decline to accept, after they are elected. It is sufficient if on the night of election, all present decline an election, and that the dispensation to elect a Third Degree member thereto was obtained before the election was held.

2822. A Vice Grand who has served a majority of the nights of the term is not eligible to the office of Noble Grand in the case of the latter's resignation before the end of the term without a dispensation for a term of service.

2823. Any brother of a Subordinate Lodge having the requisite degrees is eligible for office in his Lodge. Therefore a brother is qualified and eligible for the chair of Noble Grand who has lost a right hand, or whose right hand has been so injured that its natural use has been seriously impaired.

2824. A Noble Grand in arrears for dues cannot hold the office, but he can become qualified by paying his dues before action is taken on his case.

2825. There is no law in Pennsylvania making reading a necessary qualification for Vice Grand or Noble Grand, and as a brother who is unable to read or write may have, with the assistance of other members, committed the entire Ritual and thus be better qualified to discharge the duties of Vice Grand and Noble Grand than many other brothers who can read, he is therefore eligible to those offices, if otherwise qualified.

2826. The election and installation into office of a member who is disqualified by law for such office is null and void, and should be so declared by the proper authority in the jurisdiction and the vacancy filled according to law.

(b). Powers and Duties of Noble Grand.

2827. The Noble Grand appoints all the appointive officers, except the Supporters of the Vice Grand.

2828. Should a Noble Grand elect fail to present himself for installation, and no brother is elected to fill the vacancy, the Vice Grand, as the presiding officer of the Lodge, could appoint the Subordinate officers.

2829. In the absence of the Noble Grand, a Past Grand or the Vice Grand filling his chair during his absence can appoint Subordinate officers. But the immediate filling of a vacancy in an appointive office during a temporary absence of the Noble Grand might not be necessary, and would not therefore devolve upon the pro tempore occupant of the chair, unless the Lodge so instructed him.

2830. The laws require the Noble Grand of a Lodge always to preside when present at its meetings, and the Vice Grand to act as Noble Grand in the absence of that officer; and a Noble Grand or a Vice Grand acting as Noble Grand, has not the right or power to waive his right and place a Past Grand in the Noble Grand's chair during the presence in the Lodge room of either of the first two officers above named; Provided, that this decision is not to be considered as applicable to a temporary absence during a portion of a Lodge meeting of these officers, in which case the chair must be filled as provided in the Ritual.

NOBLE GRAND—Powers and Duties of Noble Grand.

2831. The Noble Grand has the right to invite a Past Grand to occupy the chair during initiation or the conferring of degrees or upon occasions of Grand Visitations.

2832. The Noble Grand of a Lodge has not the right to admit a member belonging to another Lodge in his jurisdiction without the term pass word.

2833. The Noble Grand will admit members of his own Lodge without a pass word, until they have been suspended or dropped in accordance with the provisions of the Constitution, as until that time they are contributing members, but they are not entitled to vote or receive the pass word if more than thirteen weeks in arrears for weekly or funeral dues.

2834. The Noble Grand may deliver the Past Grand's Charge, although it should be more properly given by a Past Grand, if present, but under no circumstances may this charge be given by a Vice Grand, even when filling the Noble Grand's chair.

2835. No power resides in a Lodge to deprive the Noble Grand of his Constitutional authority or to prevent him from exercising his lawful prerogative to give instructions to a Degree Staff, or give a Captain of a Degree Staff any authority which will deprive him of his obligated duty and right to oversee and control initiatory and degree work when the Lodge is in session or when the Degree Staff is drilling.

2836. The Noble Grand has no powers to set aside any part of the Constitution for Subordinate Lodges, or of the By-Laws of his Lodge; the objectionable section must be repealed or amended in the manner provided in the Constitution or the By-Laws, and is binding on him and his Lodge until so repealed or amended.

2837. A Noble Grand has no right to refuse to put any legitimate question to his Lodge. His differing from the Lodge has nothing to do with the matter.

2838. Should a motion be made to elect a member to receive a degree in violation of the Constitution it is the duty of the Noble Grand to declare it out of order, and should the motion prevail, it is his duty to declare the same void; and in case the Lodge reverses his decision on an appeal therefrom, an appeal should then be taken by him to the Grand Master as provided by the local law. Such is the general law, but much of it is a subject for local legislation.

2839. Where a Lodge directs an order to be drawn upon its Treasury in clear violation of its laws, the Noble Grand has the right to refuse to sign the order therefor, although there was no intention on the part of the Lodge to do a wrong. It is only in cases where action taken by a Lodge is clearly illegal that the Noble Grand of such Lodge is justified, by reason of his obligations as such officer, in refusing to carry out its mandates, and in case of such refusal it is at his risk and peril of being legally justified, for he cannot arbitrarily nullify the action and will of his Lodge. He cannot assume to perform functions belonging to the Lodge as such, and yet, because of his position and obligation, he is vested with certain rights which, in proper cases only, he may exercise under the limitations and conditions herein set forth. He should at once bring the matter to the Grand Master's attention by an appeal, so that there will be no undue delay in arriving at a decision of the legality of the appropriation.

2840. When a Noble Grand makes a decision upon the meaning of a part of the Subordinate Lodge Constitition an appeal therefrom to the Lodge is allowable, and the Vice Grand must put the question to the Lodge as to whether it will sustain the decision of the Noble Grand. If his decision be reversed, then an appeal should be had by the Noble Grand to the Grand Master without delay. In our order there are no autocrats. The Lodge is superior to the Noble Grand, the Grand Lodge to the Grand Master, and the Sovereign Grand Lodge is the superior of the Grand Sire.

NOBLE GRAND—Powers and Duties of Noble Grand.

2841. When the Vice Grand appeals from the decision of the Noble Grand parliamentary decorum requires that he shall call some competent brother to the chair to put the question.

2842. As a rule the Subordinate Lodge has the jurisdiction to decide any question that can properly come before it. A subordinate, however, has no right to decide any question in reference to the work of the Order, written or unwritten.

2843. A Noble Grand can direct the drawing of an order for the payment of benefits to those entitled, when there is no objection. That would be by general consent; any objection to such action would necessitate a motion to draw the order.

2844. Service as Noble Grand to the very last moment is a preliminary condition to becoming an acting Past Grand, and until a Noble Grand becomes a Past Grand he cannot be elected Representative to the Grand Lodge.

2845. If the Noble Grand elect does not appear at the time for installation, the Lodge may instal the other officers, and the preliminary questions may be read in their hearing. The law as to Subordinate Lodges is that the Noble Grand in office should continue in that office until the installation of his successor, if the installation of the Noble grand elect is for any good reason postponed. This is preferable to allowing an indefinite interregnum in the office of the Noble Grand, with the Vice Grand occupying his chair. In a later decision this was modified as follows: If the Noble Grand elect shall be excused by the Lodge, on account of sickness or disability, from attendance at the time when he should have presented himself for installation, and if the Lodge shall continue to excuse him on account of such sickness or disability, up to the time when he shall present himself for installation during the term for which he was elected, then upon his so presenting himself, he is entitled to be installed and, if he serves until the expiration of his term, will be entitled to the honors thereof. The Junior Past Grand, having been inducted into that office at the time the other officers were installed, including the Vice Grand, should have, thereafter, occupied his chair as Junior Past Grand, and the Vice Grand, under the general law should have occupied the chair and discharged the duties of the Noble Grand.

2846. The Noble Grand does not become a Past Grand until his successor has been installed (except under the circumstance mentioned in the exception made to the previous section).

2847. A brother is entitled to the Past Official Degree upon the expiration of his term in the office of Noble Grand, although he may have been re-elected and installed Noble Grand.

2848. The question was asked when does a Noble Grand become a Past Grand; in case of re-election of a Noble Grand, does the re-elected Noble Grand become a Past Grand until he ceases to be Noble Grand, and is it essential for the retiring Noble Grand to be directed by the installing officer to take the chair of Past Grand before he becomes an actual Past Grand, or does he become a Past Grand by virtue of his services as Noble Grand? Held that he becomes a Past Grand by virtue of his services as Noble Grand, and on the expiration of his service as Noble Grand for the term for which he was first elected he is entitled to the rank and honor of Past Grand. In case of re-election of the Noble Grand he does not thereby lose the honor of Past Grand by virtue of his services as Noble Grand the first term. If the Noble Grand is elected to succeed himself and is being installed as such successor, it is not necessary for him to be directed by the installing officer to take the chair of Past Grand in order to become an actual Past Grand.

2849. The Junior Past Grand is not strictly an officer of the Lodge, therefore the Noble Grand is eligible to re-election as his own successor, especially

when such election is held before his term of office expires and before, in fact, he becomes a Junior Past Grand in his Lodge.

2850. The law upon the subject vests the right of re-electing officers in the local jurisdictions, and there having been no legislation upon the subject in this jurisdiction, the general law prevails, as above stated. The presiding Noble Grand, in the absence of any local law, is, by the general law, eligible to re-election as his own successor.

2851. The Noble Grand has no right to sign a Semi-Annual Report, which certifies that he is a Past Grand, unless he has in a previous term passed the Noble Grand's chair, and is occupying it for another term. The reason being that the return is to be made of the proceedings of the term then expiring, and must be signed by the officers in the capacity then filled. In a separate schedule a return is made of the officers elect. These latter officers cannot be installed until such return has been forwarded to, and been received by the Grand Secretary, or it has been conntersigned by the Installing Officer

2852. If the Noble Grand votes for officers he cannot, in case of a tie, vote again; his right to give the casting vote in case of a tie applies only to votes upon legislative questions only.

2853. The Vice Grand being authorized to appoint his own supporters, the Noble Grand cannot object to them or prevent their installation on the ground that they are not acceptable to him.

2854. The Noble Grand alone has the power to call his Lodge together for a special meeting or for a special purpose, such as to attend the funeral of a deceased member. The Grand Master cannot exercise any such authority, and the Grand Lodge has no power to confer this right upon him.

2855. But the Lodge By-Laws may legally provide that in the case of the absence of the Noble Grand the Vice Grand may exercise this authority.

2856. A brother who is a Noble Grand of his Subordinate Lodge cannot lawfully wear his Noble Grand's regalia in the Rebekah Lodge or Encampment of which he is a member. The regalia of a Noble Grand, Vice Grand, or other officer of a Lodge should be worn by the person lawfully occupying the office or chair at the time being. The Noble Grand's regalia is not one that should be worn by the Noble Grand, except when performing some duty of his office.

2857. Charges having been preferred against the Noble Grand and also against another brother of a Lodge, it was held that an officer is not suspended from the performance of his duties during the pendency of charges against him, except in so far as those duties may have relation to the charges, such as the appointment of the whole or any part of the committee to try them, or in acting upon the committee's report, during which time he will, of course, vacate the Noble Grand's chair; when the Noble Grand's chair is vacant the Vice Grand should fill the chair.

2858. A Noble Grand cannot legally vote upon an amendment to the By-Laws when the vote is not a tie vote.

(c). Absence of Noble Grand.

2859. In the absence of the Noble Grand it is not only the right, but the duty of the Vice Grand to take the place of the superior officer and perform all his functions. It was the very object in view in the creation of a vice officer. In the absence of the Noble Grand, the Vice Grand is de facto Noble Grand, and may confer the degrees; but the Vice Grand cannot convene the Lodge together in special meeting, unless the Lodge has a By-Law authorizing him to do so when the Noble Grand is absent from home.

2860. During the absence of the Noble Grand from the Lodge room, the Vice Grand must take the place of such superior officer and discharge the

duties of such executive office. He may assign a properly qualified brother to act as Noble Grand during initiation or the conferring of degrees, but he possesses the unquestionable right to act as Noble Grand during the absence of that officer, whether at a regular, special or called meeting of the Lodge, and cannot be deprived of such privilege, which, in fact, is a duty under the law.

2861. On a regular night of meeting when, in the absence of the two principal officers, a Lodge has been opened for business with a Past Grand in the Noble Grand's chair and a Third Degree member in the Vice Grand's chair, the proceedings of said meeting cannot be pronounced illegal on the grounds that there was present no Past Grand to occupy the chair, if the acting Noble Grand had been required temporarily to vacate it, because if the chair had been thus temporarily vacated, it would have been the duty of the R. S. to occupy it.

2862. The words "temporary absence," as used in the charge to the R. S. of the Noble Grand in the ceremony of installation of the officers of a Subordinate Lodge, must be taken to mean the absence of the Noble Grand from his chair merely while he still remains in the Lodge room, or ante-room, which, under the law, constitutes a component part of the Lodge room. Whenever the Noble Grand leaves the Lodge room, then the duty of occupying his chair devolves upon the Vice Grand, and a like construction of the words "temporary absence" applies to the language of the charge to the R. S. to the Vice Grand.

2863. In the absence of the Noble Grand and Vice Grand any Past Grand of the Lodge may preside and serve as Noble Grand.

2864. In the absence of the Noble Grand and Vice Grand, a brother who is District Deputy Grand Master is not thereby disqualified to serve as Noble Grand pro tem.

2865. The subject of opening a Lodge at the time of its regular meeting in the absence of all Past Grands and Noble Grand is regulated, to a certain extent by the obligations and charges of the officers of Subordinate Lodges. Beyond this it is within the scope of the legislation by the Grand Lodge and the By-Laws of the Lodge.

2866. The Right Supporter of the Noble Grand, when occupying the Noble Grand's chair during the temporary absence of that officer, is not thereby clothed with the rights and privileges of the presiding officer. His duties are rather to preserve order and to permit brothers to enter and retire. For example, he cannot perform even so small a function as to authorize the giving of the Semi-Annual Pass Word to a brother of his Lodge to enable the brother to visit other Lodges.

2867. The action of a Lodge is not illegal where a Past Grand is called to preside by the Noble Grand while the Noble Grand remains in the room, there being no objection made at the time or during the occupancy of the chair by the Past Grand.

NOMINATIONS.

(a). Grand Lodge. (b). Subordinate Lodge.

See Election. *See* Good Standing.

(a). Grand Lodge.

2868. In nominations for Grand Warden the names may be written on cards of equal size, and be deposited in a box, and be drawn therefrom under the direction of the Grand Master. The record shall be made by the Grand Secretary in the order in which the names are drawn from the box and announced by the Grand Master.

2869. The law of a Grand Lodge provided for the nomination of Grand Officers at its annual session and their election at a subsequent time by the

NOMINATIONS—Grand Lodge.

votes of the Past Grands in their various Subordinate Lodges, where a single candidate for Grand Treasurer was nominated and died before the day of election in the Subordinate Lodges. No person was voted for for Grand Treasurer at such election. The election of a Grand Treasurer by the Grand Lodge at its next session was illegal and invalid.

2870. Where a Past Grand nominated for a Grand Lodge office and named as belonging to a certain Lodge with which he was then connected, subsequently and before election transfers his membership to another Lodge, the fact that his name appears on the official ballot as a Past Grand of his former Lodge does not vitiate his election.

(b). Subordinate Lodge.

2871. Where the By-Laws of a Lodge provide that "nominations for elective offices must be made two meetings preceding that of the election," and on the night of election the only candidate nominated for an office is defeated, and the Lodge thereupon makes new nominations, the election must be postponed two weeks, so as to comply with the provisions of the By-Laws concerning nominations.

2872. When the By-Laws of a Lodge requires nominations to be made the night preceding the election, and such nominations have been made, it is too late to nominate on the night of election, unless all the other candidates for the same office have been withdrawn, or there is no legal nominee from some other cause.

2873. A provision in the By-Laws of a Subordinate Lodge, viz.: "Nor can any brother be balloted for, except he has been regularly nominated and be present at the time of election, or notify the Lodge of his acceptance of the nomination," adds a new qualification, and is therefore not permissible.

2874. A brother may be nominated for the office of Representative if he is in arrears to the amount of over thirteen weeks' dues. His nomination would be legal, but before election he must pay up the arrearages.

2875. A member who owes more than thirteen weeks' dues may lawfully be nominated for an elective office. A member in arrears may be nominated, but must put himself in good standing before election to make such election legal.

NON-AFFILIATED ODD FELLOWS.

See Non-Beneficial Members.

2876. A non-affiliated Odd Fellow is one who for any cause whatever, except expulsion, is not now in association with the Order by being in full membership in a Subordinate Lodge or by holding a Withdrawal Card in date from the same.

2877. A non-affiliated Odd Fellow need not of necessity be an aged person; in fact, he may be one who but comparatively recently joined the Lodge at a young age, and for some reason became out of association with the Order; that is to say, non-affiliated. The law permitting Lodges to admit non-affiliated Odd Fellows as non-beneficial members was only intended for the aged non-affiliates; as, for example, it is not legal for a Lodge, with or without the consent of its Grand Lodge, to have a By-Law providing for the initiation of persons over 55 years as "non-beneficial members," or changing the status of one already a member of such Lodge from a beneficial to a non-beneficial member on reaching a certain age. Members in good standing are entitled to benefits irrespective of age—the only exception permitted by general law being in the case of aged Odd Fellows re-admitted to membership.

2878. The resolution upon which the law relating to non-affiliated Odd Fellows was predicated reads as follows: Whereas, We have learned from the experience of the past that through inadvertence or other circumstances,

frequently beyond their control, many worthy and deserving members have allowed themselves to be dropped from the rolls, or have been suspended for non-payment of dues, after they have attained an age so advanced as to render it impracticable in some jurisdictions to be restored or reinstated to beneficial membership. Resolved, That in the judgment of this Grand Lodge it would be advisable, when the character and standing of the applicant warwant it, that they be reinstated as non-beneficial members, etc.

2879. The committee to whom the resolutions were referred in the Sovereign Grand Lodge reported that the subject of non-beneficial members is one of intense interest to a large and increasing class of non-affiliated members, many of whom have spent their best years in the service of the Order, and against whom there can be nothing urged except advanced age and consequent infirmities, or increased liabilities to sickness, and believing that the heart's desire of many worthy brothers may be safely indulged, and the Lodges have once more the benefit of their counsel and experience, they enlarged the scope of the resolutions so as to include all non-affiliated Odd Fellows, as well as those suspended for non-payment of dues.

2880. Non-affiliated Odd Fellows who have retained membership in the Order for at least five consecutive years, who shall be over fifty years of age, and who are not under expulsion for cause, may be admitted to membership in any Lodge, or reinstated in their own Lodges upon such terms as the local laws may prescribe.

2881. This law is not to be construed as meaning that Subordinate Lodges shall not have the right to admit such persons to beneficial membership if they so desire.

2882. Where a non-affiliated Odd Fellow who is within the terms of this law, and who, under the Constitution for Subordinate Lodges, is admitted to membership, paying the admission fee for a non-beneficial member, although the record at date of application and date of election does not state whether he was admitted as a non-beneficial member or otherwise, he is to be classed as a non-beneficial member, as the only provision in the Subordinate Constitution on the subject relates to admission of certain non-affiliates as non-beneficial members, and being personally possessed of the requisites for this class of membership, he is presumed to have had the intention of accepting this provision as governing his membership.

2883. The fact that under the above circumstances he was a charter member of a Lodge did not alter the presumption that he was a non-beneficial member.

2884. Resignation severs membership instantly and totally, and Dismissal Certificate is simply evidence of resignation, in bad standing. Holders of expired Withdrawal Cards are not members of the Order, and the same is true of holders of Dismissal Certificates. Hence, it follows that these, together with those who are suspended for non-payment of dues, form the class referred to as non-affiliated, or out of association, Odd Fellows.

2885. It is competent for a brother in good standing and over fifty years of age to change his relation to the Order from that of a beneficial to a non-beneficial member, by withdrawing from the Lodge, thus becoming a non-affiliated Odd Fellow, and applying for admission as a non-beneficial member.

2886. Non-affiliated Odd Fellows, when admitted as non-beneficial members, have the same rights as beneficial members, except in the matter of benefits. They can vote and hold office.

2887. A non-affiliated Odd Fellow who desires admission into full membership will follow the regular course laid down for the admission of a member of the Order, by making a regular application, stating distinctly that he desires admission to full contributing, beneficial membership, and paying the full fees upon election and admission to the Lodge membership.

NON-AFFILIATED ODD FELLOWS.

2888. A non-affiliated Odd Fellow, who has retained membership in a Lodge of one jurisdiction for ten consecutive years, and has been suspended for non-payment of dues, cannot be admitted as a non-beneficial member in a Lodge of another jurisdiction on terms prescribed by the latter jurisdiction for the admission of non-beneficial members without action in the Lodge in which he has been suspended being first had.

NON-ATTENDANCE.

See Vacancy.
Honors of Office.
Installation.

See Absence.
Eligibility to Office.

2889. An officer cannot be displaced during the term for which he is elected for non-attendance, in the absence of any Constitutional provision or By-Law on the subject.

2890. Non-attendance of an officer elect or of an appointed officer at installation vests the installing officer with the authority to declare the office vacant, if, in his judgment, the excuse for absence is not a good one. And, therefore, he may hold an election for the vacancy, if for an elective office, or insist on an appointment, if for an appointive office.

2891. The power to declare an office vacant when an installing officer has failed to attend and discharge the duties of his office is left to the control of State Jurisdictions.

2892. When the laws of a jurisdiction define explicitly the terms of good standing of members of its Lodges a qualification not recognized by such laws cannot be attached to the right to benefits, as when the By-Laws require attendance once a quarter in order to be entitled to benefits.

NON-BENEFICIAL MEMBERS.

(a). Holding Lodge Membership.

See Non-Affiliated Odd Fellows.

(b). Holding Membership in Aged Odd Fellows' Fund.

See Ancient Odd Fellows.

(a). Holding Lodge Membership.

2893. A Lodge cannot initiate persons over fifty-five years of age as "non-beneficial members," or have a By-Law changing the status of one already a member of such Lodge from a beneficial to a non-beneficial member upon reaching a certain age. Members in good standing are entitled to benefits, irrespective of age. The only exception permitted is in the case of aged Odd Fellows readmitted to membership, or Veteran members of the Order who, instead of being dropped for the non-payment of dues, are placed on a special non-contributing, non-beneficial class.

2894. A member of the Order wished to join a Lodge on a Withdrawal Card. He was past fifty years of age. He can be admitted as a beneficial member. There is no age limit for a beneficial member.

2895. No one can legally be admitted to the Order as a non-beneficial member, except as provided in the Constitution for Subordinate Lodges.

2896. Aged members of defunct Lodges who were in good standing at the time of the dissolution of their respective Lodges, and who, by reason of their advanced age are now ineligible to beneficial membership, may be admitted to non-beneficial membership.

2897. Non-affiliated Odd Fellows who are over fifty years of age, who have retained their membership in the Order for at least five consecutive years, who are not under expulsion for cause, may be admitted to non-beneficial membership upon such terms as the local law may prescribe.

NON-BENEFICIAL MEMBERS—Holding Lodge Membership

2898. An aged Odd Fellow who held membership eighteen months and was suspended for non-payment of dues, who is over fifty-two years old, and has been suspended nineteen years, cannot be admitted to non-beneficial membership.

2899. A brother in good standing in the Lodge who has the necessary qualifications of age and continued membership may change from beneficial to non-beneficial membership by withdrawing from the Lodge and applying for admission as a non-beneficial member.

2900. An Odd Fellow over fifty years of age, who has been in continuous membership for twenty-five years or over, and whose Subordinate Lodge has surrendered its charter, and who would, under the laws of his Grand Lodge, be entitled to receive a Grand Lodge Card, may be admitted to membership in a Subordinate Lodge under the operations of the provisions of the law for the relief of aged Odd Fellows.

2901. The formalities attendant upon the election and admission, or the reinstatement of a brother to non-beneficial membership are the same as those to beneficial membership.

2902. Non-beneficial members are entitled to the same rights and privileges as beneficial members, except in the matter of benefits. They can vote and hold office.

2903. By the general law non-beneficial members pay dues, which may, if the Lodge so provides, be the same as for the regular contributing members. Therefore the Constitution for Subordinate Lodges provides that such non-beneficial members, when so admitted, shall have no claim upon the Lodge for weekly benefits in case of sickness or disability, nor for funeral benefits in the event of death, unless the latter is specially provided for in the By-Laws; but in all other respects shall enjoy the same privileges as other members. The weekly dues for such non-beneficial members shall be fixed by the By-Laws, but shall not be less than four cents per week.

2904. A brother under sixty years of age, who has been suspended for more than five years for non-payment of dues, applied for reinstatement as a non-beneficial member. Held that unless the local law provides otherwise, he must pay the amount of one year's dues and show in his application that he has been a member in the Order for five years, and he must pay dues and the Lodge must pay per capita tax on him.

2905. A non-beneficial member is chargeable with the Orphan's Home dues.

2906. A non-affiliated Odd Fellow who has retained membership in a Lodge of one jurisdiction for ten consecutive years, and has been suspended for non-payment of dues, cannot be admitted as a non-beneficial member in a Lodge of another jurisdiction on terms prescribed by the latter jurisdiction for the admission of non-beneficial members without action in the Lodge in which he has been suspended being first had.

2907. Whether a non-beneficial member who makes application for transfer of membership, accompanied by his official certificate, on being elected and completing his membership becomes a non-beneficial member in his new Lodge, or is required to join as a beneficial member, he not being at the time a non-affiliate depends entirely upon the local legislation on the subject of admission of members of that kind.

(b). Holding Membership in Aged Odd Fellows' Fund.

See Aged Odd Fellows' Fund.

2908. Any Odd Fellow over fifty years of age, who has been in continuous membership for twenty-five years or over, and whose Subordinate Lodge has surrendered its charter, and who would, under the laws of the Grand Lodge, be entitled to receive a Grand Lodge Card, may petition the Grand Lodge to

place his name upon the "Aged Odd Fellows' Register." Said petition shall be accompanied by such a certificate of eligibility from such authority as the Grand Lodge may prescribe. Upon such petition being granted, the Grand Secretary shall place the name of such petitioner upon the "Aged Odd Fellows' Register."

2909. Any Odd Fellow enrolled according to the above provisions may apply for admission to any Subordinate Lodge, under the conditions hereinafter set forth.

2910. Any Odd Fellow enrolled upon the "Aged Odd Fellows' Register" may be admitted to membership in a Subordinate Lodge. He shall pay to the Grand Secretary, through the Lodge to which he has been admitted, such admission fee and dues as the Grand Lodge may prescribe, said fee and dues to be placed to the credit of the "Aged Odd Fellows' Fund."

2911. Any Odd Fellow enrolled as above in a Subordinate Lodge as herein provided, who becomes sick or disabled so as to be incapable of earning a livelihood, shall receive from the Grand Secretary, through the Lodge to which he has been admitted, such weekly benefits as the Grand Lodge may prescribe, so long as the moneys collected under the provisions of the "Aged Odd Fellows' Fund" shall permit the payment of the same.

2912. Subordinate Lodges shall immediately notify the Grand Secretary in all cases of sickness or disability referred to in the preceding section, of their commencement and termination, and the Grand Secretary shall notify Lodges having members on the "Aged Odd Fellows' Register" when the said fund shall be depleted.

2913. A member of a Subordinate Lodge, admitted under the above provisions, shall not be entitled to vote or speak on any question involving the disposition of the funds or property of the Lodge.

2914. Upon the death of an aged Odd Fellow, enrolled as above, and who shall be entitled to the benefits of this fund, there shall be paid, as funeral expenses, such sum as the Grand Lodge may prescribe, so long as the moneys collected under the provisions of the "Aged Odd Fellows' Fund" shall permit the payment.

2915. No Lodge receiving such members as above provided, shall be liable for the payment of any sick benefits, or funeral expenses, to or on account of such members; nor shall any such member be required to pay any dues or assessments to such Subordinate Lodge, except for the benefit of the "Aged Odd Fellows' Fund."

2916. Aged Odd Fellows no longer able to pay the dues required when benefits are received, and who continue their membership as non-contributing members, are within the terms of the Aged Odd Fellows' Fund.

NON-CONTRIBUTING MEMBERS.

See Non-Beneficial Members. *See* Ancient Odd Fellow.
Non-Affiliated Odd Fellows. Member of Defunct Lodge.

2917. All the legislation concerning non-beneficial membership is founded upon additions and amendments to the law of 1864, by which local jurisdictions were given authority to permit subordinates to receive as non-beneficial members such members of defunct Lodges as were in good standing at the time of the dissolution of their respective Lodges, and who, by reason of advanced age, would not be admitted as beneficial members.

2918. The law relating to non-contributing members was passed as follows: "The law permitting aged Odd Fellows who were members of defunct Lodges to become non-beneficial members should be broadened to the extent that it will permit aged Odd Fellows no longer able to pay the dues required when benefits are received to continue their membership as non-beneficial members."

NON-CONTRIBUTING MEMBERS.

2919. After a brother has become sixty years of age and has been a contributing member for twenty-five consecutive years his name shall not be dropped from the roll by virtue of his being more than one year in arrears for non-payment of dues, but he shall be retained as a non-beneficial member, and as such shall be entitled to the pass word and fellowship of Lodges. Such non-beneficial member shall have all the privileges of active members except benefits, and Subordinate Lodges shall not be compelled to pay per capita tax on such non-beneficial members.

2920. The designation "non-beneficial," as used in the law above quoted has been discontinued, and the term "non-contributing" has been substituted therefor, so that the designation "non-beneficial" shall apply only to members who, by reason of non-payment of dues for the time provided by local law, are not entitled to benefits.

2921. This law makes a change in the laws relating to the payment of weekly benefits as a fundamental principle of Odd Fellowship. These laws have already been strictly adhered to, with one exception, this exception being the law of 1864, when the several local jurisdictions were given authority to permit subordinates and encampments to receive as non-beneficial members such members of defunct Lodges and Encampments as were in good standing at the time of the dissolution of their respective Lodges and Encampments, and who, by reason of advanced age, would not be admitted as beneficial members.

2922. When the law of 1864 was adopted the Order was but forty-five years old, and it was then apparent that some change in the law was necessary that old workers and veterans might not have the door of Odd Fellowship closed against them. The law then enacted to some extent assisted old members in retaining membership. To-day our Order is eighty-two years old, and with the changes wrought by the years new conditions are coming up to be met. The framers of our laws at the beginning of our Order could not be expected to see and know the demands that would confront Odd Fellowship three-quarters of a century after, and while recognizing their wisdom in making laws to meet conditions as they understood them, a progressive Order must meet progressive conditions, and change and enact laws to meet the issues arising from its growth.

2923. In 1896 a step forward was made in legislation affecting aged Odd Fellows when the aged Odd Fellows law was enacted, a departure from the fundamental law, which previously required membership in the Order to be founded upon direct membership in a Subordinate Lodge. The proposition to change the law so that Odd Fellows who have been for twenty-five consecutive years members in good standing, and who are in arrears for more than one year, may not be dropped from the roll of membership has merit, and the law permitting aged Odd Fellows who were members of defunct Lodges to become non-beneficial members will be broadened to the extent that it will permit aged Odd Fellows no longer able to pay the dues required when benefits are received, to continue their membership as non-beneficial members.

2924. The words "contributing members for twenty-five years" mean continuous membership for twenty-five years, including the time an unexpired Withdrawal Card may have been held.

2925. A non-contributing member is entitled to the fellowship of the Lodge.

2926. A non-contributing member is entitled to the Semi-Annual Pass Word and to visit in his own jurisdiction.

2927. A non-contributing member residing in a jurisdiction other than that in which his Lodge is located, has the privilege of visiting Lodges at his place of residence by means of a special form of Visiting Card, which entitles the holder to the Annual Traveling Pass Word upon proving identity in the manner prescribed by the laws of the Order, and which is furnished

by the Sovereign Grand Lodge, and sold as supplies for the use of such non-contributing members.

2928. Non-contributing members are entitled to the same rights and privileges as beneficial members, except in the matter of benefits. They can vote and hold office.

2929. A non-contributing member may become a beneficial member in the manner provided for the reinstatement of members suspended for non-payment of dues in accordance with the terms of the Constitution for Subordinate Lodges and the By-Laws of the Lodge.

NON-RESIDENT.

See Residence.
Absence.

See Transfer of Membership.
Attentive Benefits.

2930. No citizen of one State, District or Territory wherein Lodges are established, shall be admitted to membership in a Lodge of another State, District or Territory, without the previous consent of the Grand Lodge or Grand Master of the State, District or Territory whereof such a citizen is a resident. The penalty for violating this provision is that the Lodge admitting the brother shall forfeit and pay to the Grand Lodge of the jurisdiction where he resides all initiation and degree charges received from such person.

2931. A person resident of one Grand Jurisdiction may be admitted to membership in another Grand Jurisdiction either by initiation or deposit of card, if all the following conditions exist:

1. The jurisdiction must be contiguous or adjacent.
2. He must have the consent of the Grand Lodge or Grand Master of the jurisdiction in which he resides.
3. The subordinate must be the one nearest his residence.
4. He must have the consent of the jurisdiction under which the subordinate exists that he proposes to join.
5. The necessary consent, legally authenticated, must accompany the application for membership, and he must pay the higher initiation fees as between those charged by the Lodge he joins and the Lodge nearest his residence in the jurisdiction where he resides.

2932. By the general law no person can be admitted to membership in a Lodge in the same Grand Jurisdiction in which he is a resident other than the one in whose territorial jurisdiction he resides; provided, nevertheless, that whenever a person qualified for membership shall apply for admission by initiation or deposit of card in a Lodge in the territorial jurisdiction of which he does not reside it shall only be necessary to obtain the permission of the Lodge or Lodges nearest to his place of residence in order to make his election into the Lodge, in whose territorial jurisdiction he does not reside, legal and valid. The penalty to be inflicted upon a Subordinate Lodge violating the provisions of the law prohibiting Subordinate Lodges from admitting persons as members not residing within their territorial jurisdiction, without having secured proper permission, as provided by law, is as follows. Said Subordinate Lodge shall, upon conviction of such offense, immediately remit to the Subordinate Lodge having such territorial jurisdiction, the initiation and degree fees received from the member so admitted to membership, and from time to time thereafter, when requested by the Lodge which has received the initiation and degree fees, pay to such Lodge all dues received from said member so admitted to membership, and shall so continue to pay all such dues while he shall retain his membership; provided, nevertheless, that this resolution shall not affect the present legislation, or any decisions in respect of and in relation to members being admitted by cards under facts herebefore recited. The penalty for a brother illegally admitted by a card or certificate to a Lodge other than the one in the territorial jurisdiction of

NON-RESIDENT.

which he resides is that as the applicant knew, or was bound to know, what the law is, and that his membership was illegal, and as the Lodge knows, or was bound to know, the law, therefore, his membership being illegal, he is not protected, and his status is that of an Ancient Odd Fellow. (See Territorial Jurisdiction for the form of request to Lodge located nearest to the residence of the applicant for permission to initiate or admit him to membership in the Lodge to which he has made application.)

NON-RESIDENT WITNESS.

See Witness.

NOTICE.

(a). As to Dues and Assessments.
(b). Of Sickness and Benefits.
(c). As to Charges and Trial Procedure.

(a). As to Dues and Assessment.

2933. Where the Lodge has no By-Law upon the subject, it is not required by the general law to notify the brother as to his financial standing in the Lodge, by reason of the non-payment of dues. Where there is a By-Law the rule of notice will be governed entirely by its terms. This principle is based on the fact that as the dues are charged weekly, the brother knows what the weekly dues are, they being fixed and certain, and can always make his own calculation of how he stands.

2934. There is no law of the Order that requires notice to be given by the Lodge to a brother of the death of another brother, or of the death of another brother's wife, nor of the assessment of funeral dues; nor can any construction of the law except it be a false construction, force such duty upon the Lodge or make it liable for neglect in its non-performance, except as to the Brother holding a Visiting Card, or when the By-Laws provide otherwise. But when a brother pays his dues the Secretary is bound to inform him concerning any assessments that have been charged against his account, and of which he has not had notice, in order that the brother may then and there pay the same, and thus keep from arrearage, for the reason that this concerns the very business he is transacting with the Secretary.

2935. Our law does not require notice of funeral assessment to be given members, except a member holding a Visiting Card, even though they may be living at so great a distance as to preclude their meeting with their own Lodge, and thus be informed of the assessments that accumulate at irregular periods generally at long intervals. The Grand Lodge therefore recommends and requests that the Lodges in their By-Laws make suitable provision for the notification of members of their assessment.

2936. A claim for funeral benefits was made by a brother upon the death of his wife, which the Lodge declined to pay for the reason that the brother was in arrears at the time of the death of his wife. It appeared that the brother claimed that it was the duty of the Secretary to have notified him when he was in arrears, and that he did not do so; while, on the other hand, the Secretary says that his duty and custom was to notify every brother in arrears, and that the brother must have been notified. Held that the Secretary is not bound to see that every notice is delivered. If he mails them that is sufficient, as it is the duty of every brother to know how he stands, and if he allows himself to get in arrears he must bear the consequences.

2937. The legislation concerning the official certificate, which is the only legal receipt for dues, does not deprive a Lodge of the right to send a quarterly notice, a statement, or bill for dues, but it does prevent the Secretary or any other officer marking on this quarterly notice, statement or bill in any manner to show that the dues or any part thereof have been paid.

NOTICE.

(b). Of Sickness and Benefits.

2938. A Lodge has the right by its By-Laws to require notice of a brother's sickness to entitle him to benefits, and it may provide that benefits will not be paid for more than a certain time previous to the notice being received by the Lodge.

2939. It is proper for a Lodge to require notice to be given it for a demand for sick benefits, and a Lodge has the right to impose a penalty for neglect by a member claiming sick benefits to inform the Lodge of his sickness and claim for benefits.

2940. When the By-Law of a Lodge requires that applications for benefits shall be made according to a prescribed form in writing, and a brother in good standing is too ill to write, and a friend informs the Lodge or a proper officer orally of the brother's sickness, the benefits must be paid.

2941. A member of the Relief Committee being aware of a member's sickness at the time of its occurrence, constitutes a legal notice of the same.

2942. When the By-Laws of a Lodge require a sick brother, residing at a distance, to send to his Lodge, as often as once in two weeks, a true statement of his case, attested, etc., it should be recognized as a substantial compliance if such information as is requisite to give a correct knowledge of the brother's condition, is given to the Relief Committee having the brother's case in charge.

2943. A Lodge may also require notice, from time to time, from an absent sick brother during the continuance of the sickness, when the brother is not placed in charge of another Lodge or Relief Committee.

2944. Unless fixed by some local law, there is no limitation to the time within which benefits must be claimed, nor does the bar of the statute of limitation of the civil law apply in Odd Fellowship. The limitations, if any, of notice of sickness and application for benefits depends upon the laws of the Grand Lodge and the By-Laws of the Subordinate Lodge.

2945. In a case where the law required that a member shall notify some Lodge of his sickness, and if he shall neglect to do so he shall not be entitled to benefits, a member received his benefits up to the time he left for parts unknown, and later presented a claim for benefits during the time of his absence. The Lodge in the meantime searched in vain for information of his whereabouts. The question was asked, did the member forfeit his right to benefits without notice to either Lodge? To which it was held that the provision requiring a member absent from his Lodge to notify another Lodge where he is of his sickness is a reasonable regulation, and if a member does not comply with it, if there was a Lodge near enough to him to be reasonably accessible to notice, and if his physical or mental condition was not such as to render him incapable of giving notice, then he would not be entitled to benefits. There is, however, some doubt as to what notice is required. If the brother was required to give notice of his sickness after he left the neighborhood of his Lodge, although his Lodge may have paid him benefits while at home, he would not be entitled to benefits after leaving. If the brother is required to give only one notice of his sickness, and was taken sick, and his Lodge paid him benefits he would be entitled to benefits for the same sickness continuing while away without any further notice.

2496. Notwithstanding the provisions of the general law that a brother not in arrears when taken sick cannot become a delinquent while sick or deprived of his benefits, nevertheless if a brother's sickness be not reported to the Lodge in accordance with the requirements of the By-Laws, the said provision will not apply to, or avail for him.

2947. The By-Laws of a Lodge require a written notice of sickness and application for benefits. The Noble Grand of a Lodge visited the brother and found him sick, and said to the brother that he should make his claim in writing; the brother not making his claim in writing, was again visited

NOTICE—Of Sickness and Benefits.

and so requested, but he failed to comply. It was held that the By-Law does not apply to cases where the Lodge having verbal notice of the brother's sickness and the Relief Committee visits him and finds him sick, but the By-Laws mean that in cases where they or the Lodge receive notice that a brother is sick, such notice must be in writing, as required by the By-Law, before the Relief Committee are obliged to visit him to entitle him to benefits; and if they should visit on a verbal note they are estopped, as that would be a waiver of written notice.

2948. The requirements of any law of the Order demanding notice of any kind to be given by a member of the Lodge to its officers, does not hold when a brother, by reason of insanity or mental sickness, is incapacitated from complying with this requirement. Nor to any case where, by reason of his situation, isolation of surroundings, it is impossible for the sick brother to comply therewith.

2949. The law of a Lodge required a sick brother to send to the Lodge every four weeks during his absence a certificate of his condition from his attending physician, attested by a Justice of the Peace, or from the officers of a Lodge of our Order. We find that he complied with this law up to the time of leaving Deland, Florida. That he left Deland upon the advice of his physician, on April 9, stopping, upon said advice, near four weeks at Tallapoosa, Ga. That while there he was unable to communicate with any Lodge, and was still under the care and advice of his physician at Deland. that he arrived home on May 12, and immediately reported to his Lodge. No law can require impossibilities of any brother, and from all the facts disclosed by the record, it appears that the brother used every effort to comply with the law of his Lodge, and should be entitled to the full benefits.

2950. When a brother who is in the military service cannot procure the proofs of sickness or disability required by the By-Laws of the Lodge, it shall be sufficient if he shall forward to the Lodge a certificate of the attending surgeon, setting forth the nature and time of contracting the sickness or disability, accompanied by a statement of the officer commanding his regiment or company, certifying to the character and standing of said surgeon, and the character of said sickness or disability.

2951. By the general law of the Order, any notice by which the knowledge is brought to the Lodge that a brother is sick is sufficient to have the Relief Committee visit him, as he is certainly entitled to attentive benefits, and the report of that committee constitutes legal notice of the brother's sickness and application for benefits, and estops the Lodge from claiming that a written notice from a brother was required, any law to the contrary notwithstanding.

2952. But the notice of sickness must be brought to the attention of the Lodge or its proper officers. Where a sick brother, who was a railroad employee, was placed on the company's sick list, and on the same day went to a member of his Lodge, holding a minor office in the Lodge, and a frequent attendant at Lodge meetings, and informed him of his having been placed on such railroad sick list, and that his physical condition seemed such that he would not resume work for some weeks, but did not ask him to report his sickness to the Lodge—which, in fact, he never did. Held that this was not such a reporting of his sickness to the Relief Committee or to the Lodge as would entitle the brother to benefits.

2953. The rights of a brother who fails to promptly report his sickness are exactly those of a brother who is taken sick while under a penalty for the non-payment of dues, or of one who is suffering his first week's sickness. Where the By-Laws provide that no benefits are to be paid for the first week's sickness, a member in good standing who becomes in arrears during such first week's sickness is not deprived of benefits because of such arrears. The history of a case shows that when the brother was taken sick he was in good standing and beneficial, and the real contention in the case was as to the legal effect of the delay in the report of the sickness to the Lodge, it appearing that at the date of such report of the sickness the

brother owed enough to make him non-beneficial. The By-Laws of the Lodge provided that "the sickness or disability of members residing within the territorial jurisdiction of the Lodge shall be deemed to have commenced not more than seven days prior to a notice of such sickness or disability." It was decided as follows: We do not consider that a reasonable construction of the By-Laws above quoted requires more than the withholding of all benefits prior to a member being reported to the Lodge (except for one week's benefits prior to such report). We do not believe that it fairly means that for a failure to report promptly or immediately, that the penalty of forfeiting all benefits from and after such report is made attaches. And the Lodge was directed to pay the benefits to the brother, beginning one week prior to date of notice of his sickness.

2954. In all case of continued sickness or disability where an appeal is pending, when the brother intends, if his claim is allowed, to ask benefits while his appeal is pending, he should, before the end of the period fixed by law, give formal notice of claim for benefits, and upon a refusal by the Lodge, he must again appeal, or the benefits will be barred by the statute of limitations fixed by the By-Laws of the Grand Lodge.

2955. A brother on the sick list and paid benefits cannot be stricken off the list without investigation by the Lodge and notice to him. But where a Lodge has preferred charges, waiting upon the final determination of which it has withheld the benefits and then expelled the brother, should he be reinstated on appeal, he is not bound to have given notice and demand for further benefits pending his appeal; it will be time enough to do so when he has been notified of his reinstatement.

(c). Of Charges and Trial Procedure.

2956. In trials for charges, the brother accused must have legal notice of each step in the proceedings, as a failure to give him the notice required by law vitiates the entire procedure. Where a brother had no notice of the trial in the Lodge, it was held that his failure to appeal for three years did not waive his right of appeal, as by the failure to give him notice, the entire proceedings of the Lodge were void and they would be so declared, whenever attacked, with notice to the Lodge.

2957. Notice can have only one purpose substantially, and that is to give information. Like a summons, it brings the party into court. If the party waives his right to notice, and appears without it to action, no advantage can afterwards be taken by him of any informalities and errors in it.

2958. Where more than thirty days have elapsed from the time of notice of the judgment of the District Committee on Appeals until the appeal was filed, and this is made to appear, the committee hearing the case shall dismiss the appeal and reaffirm the judgment appealed from.

2959. A copy of the charges, clearly setting forth the offense, duly attested, shall be furnished to the accused, together with a like duly attested notice of the time and place of hearing, and a summons to the accused to be present.

2960. Notice to appear must be served according to the letter of the law prescribed as a general and local requirement for such service, and when such notice has not been properly served the accused shall have the benefit of the doubt.

2961. When a party is expelled for contempt in not appearing for trial, the record should by some positive evidence show that a copy of the charges was served on the accused, as well as sufficient notice of the time and place of trial, and a summons to the accused to be present.

OBLIGATION.

See Charges. *See* Trial.

2962. The general obligation of secrecy does not prohibit a brother from speaking of Lodge business to a member of the Lodge not present at Lodge meeting.

2963. The obligation cannot be used in evidence in a court of law against a member in a suit against the Lodge.

2964. A test O. B. N. is not part of the mode of examining visitors as prescribed by the Sovereign Grand Lodge, and a Lodge would be deserving of censure for introducing any such requirement.

2965. An Ancient Odd Fellow is not required to take the obligation upon again uniting with the Order. The obligation once taken is always binding; he signs the Constitution, or authorizes it to be signed for him, and then his membership is complete.

OBTAINING CREDIT.

See Pecuniary Obligations. *See* Collecting Debts.

2966. A member of the Order in good standing, evidenced by holding an unexpired Visiting Card, issued in conformity to the laws of the Order by his Lodge, and having the Annual Traveling Pass Word, being in distress, or pretending so to be and needing money, and who, having asked for and received from a Lodge, or a member thereof, a sum of money under the assurance and promise that he will return or repay the same within a given time, or as soon as he returns home, but who shall neglect to do so after a reasonable time thereafter, without a satisfactory excuse being rendered, shall be deemed guilty of conduct unbecoming an Odd Fellow, and due notice of such facts having been officially communicated to his Lodge by the Lodge loaning him the money, it shall be the duty of his Lodge to notify him of his indebtedness or loan and demand payment thereof, and if he then refuse, or neglect to pay the same, his Lodge shall prefer charges against him, try him, and if found guilty and without sufficient mitigating circumstances, to expel him from the Order. If there be such mitigating circumstances, then to impose such penalty as the Lodge may deem best.

2967. Any brother who acquires the Semi-Annual Pass word improperly, and by making use of said pass word obtains relief from a Lodge of which he is not a member, is guilty of a double fraud on the Order, and should be required to refund the amount received to the Lodge from which he received it, and be punished by his own Lodge for the offense. It would not be proper to hold a Lodge responsible for funds obtained under such circumstances.

2968. The By-Laws of a Subordinate Lodge provide that "a member who shall obtain credit expressly by reason of being an Odd Fellow, and shall violate the terms of such credit, shall be guilty of an offense against the laws of the Order." Held, in such case, that to render a member of a Lodge amenable for an offense against the laws of the Order, he must have used the fact of his membership in some way for purposes of fraud or imposition.

ODES.

See Meetings, Printing and Publishing, Spurious Books.

2969. The odes prescribed in the ceremonies must be sung. They constitute an integral part of the opening and closing ceremonies of a Subordinate Lodge.

2970. The use of odes, forms or ceremonies authorized by the Sovereign Grand Lodge other than those issued by it and bearing its imprint, will be considered an act of insubordination.

ODES.

2971. It is permissible to use the odes of the Order in church on Sunday at an Anniversary of a Lodge.

2972. The right to print or publish the odes for the use of the Order is exclusively the property of the Sovereign Grand Lodge.

ODD FELLOWS' HOME FOR AGED AND INFIRM OF PENNSYLVANIA.

2973. This Home is working under a dispensation granted by the Grand Lodge of Pennsylvania. It was publicly dedicated in the name of the Order to the uses and purposes for which the Home is intended, and formally recognized as one of the charities of the Order July 17, 1902.

2974. Its charter, among other things, reads.

First—The name of the proposed Corporation is the Odd Fellows' Home for Aged and Infirm of Pennsylvania.

Second—Said Corporation is formed for the purpose of establishing a Home for aged Odd Fellows, aged Odd Fellows and their wives, and Odd Fellows, who have become permanently disabled and incapacitated for earning a livelihood for themselves, the same to be supported and maintained in such manner as the By-Laws may provide.

Third—The main office of the Corporation, wherein its business shall be transacted, shall be in the city of Allegheny, Pennsylvania.

Fourth—Said Corporation shall exist perpetually.

Fifth—This Corporation shall be composed of Representatives of the Grand Lodge and Subordinate Lodges and Encampments, and other bodies working under the charters from the Grand Lodge of the Independent Order of Odd Fellows of Pennsylvania. Each Lodge and Encampment holding membership in the Corporation shall elect annually one (1) member thereof to represent it in the Corporation.

2975. The Home is situated at Grove City, Mercer County, Pennsylvania.

2976. The Home was incorporated November 23, 1901, in Allegheny County.

ODD FELLOWS' HOME OF WESTERN PENNSYLVANIA.

2977. This Home is working under a dispensation granted by the Grand Lodge of Pennsylvania. It was publicly dedicated in the name of the Order to the uses and purposes for which the Home is intended, and formally recognized as one of the charities of the Order June 9, 1874.

2978. Its charter, inter alia, reads: Section 1. Name:—

Odd Fellows' Home of Western Pennsylvania, and by that name shall have perpetual succession, with power to have a common seal and the same to alter and renew at pleasure, and to sue and be sued, plead and be impleaded, to make By-Laws, rules and regulations for the management of said Corporation, with power to alter and amend the same; provided, that said By-Laws, rules and regulations shall not be repugnant to the Constitution of this Commonwealth or the provisions of this act. And the corporate powers of said Association shall be vested in and exercised by a Board of Trustees, not less than nine, nor more than fifteen, five of whom shall constitute a quorum for the transaction of all business not otherwise provided, and the said Trustees in said corporate name, style and title, be capable of receiving, taking, purchasing and holding by conveyance, devise, bequest, lease or otherwise, any estate, real or personal, money or other property for the use of said Corporation, and power to sell, convey, or otherwise dispose of the same for said uses.

ODD FELLOWS' HOME OF WESTERN PENNSYLVANIA.

Section 2. That the estate, real and personal, and all property that shall be held by this Corporation, be and the same is hereby exempted from all assessment and taxation so long as the same shall continue to be used for the uses and purposes of this Corporation.

Section 3. That the said Trustees shall elect from their number a President, Secretary, and such other officers as they may deem necessary, who shall hold their offices for one year, or until their successors are appointed; any vacancies in said Board may be filled by the remaining members until the next annual meeting.

Section 4. That it shall be lawful for the Trustees of this Corporation, at their discretion, to take under their control such children of deceased members of the said Order as may be placed under their care and management by the guardians or other persons who are entitled to the custody of such children; and said Trustees shall have guardianship of all children so received by them, and cause them to be educated and properly maintained while in said Home, according to the means of the Corporation; and the Trustees, or a majority of them, shall have power to bind said children, with their consent, as apprentices during their minority, to such person or persons, and at such places within this Commonwealth, to learn such trades or employment, as in the judgment of the Trustees, or a majority of them, will be most conducive to the benefit and advantage of said children; but no child or children shall be bound to domestic or any menial service; provided, that the charge and power of said Trustees over said children, for binding or otherwise, shall not in the case of females, extend beyond the age of eighteen years, and in the case of males, beyond the age of twenty-one years; any child or children not bound out may, at the discretion of the Trustees, be returned to the guardians or other person or persons who may have placed such child or children at said Home.

Section 5. That the building for said Home shall be situated in or near the city of Meadville, in the County of Crawford. The first annual meeting shall be held on the third Tuesday of October, A. D. 1872, and the other annual meetings shall be held at such time as the Corporation may determine by their By-Laws; all annual meetings shall be held at the city of Meadville aforesaid, or at the said Home.

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Section 7. That each Lodge of said Order that may contribute to the funds of said Corporation such sum, annually or otherwise, as the said Corporation may determine (being for the present the sum of 50 cents a year for each of its members), shall have the right to vote by its Representatives or otherwise in the election of Trustees.

Section 8. That the Trustees shall, at their discretion and according to the means of the Corporation, receive and care for the indigent members of said Order connected with said Lodges, and also the widows of deceased members, but children shall have the preference.

Section 9. That said Trustees shall have power to employ teachers, matrons, stewards, superintendents, and all other persons needed for the uses and purposes of the same, and shall have power to elect all necessary officers, and to make provisions for their election, and fix all salaries and generally all such powers as may or shall be needed for the building and furnishing of said Home, and all matters connected with the maintenance of the same and good government and management of its affairs.

Section 10. No gift, grant, conveyance, lease, devise, or bequest to said Corporation shall be invalid by reason of any misnomer or informality.

Section 11. That said Corporation shall have power to accept property, real and personal, in trust for the benefit of any member or members of any Lodge of the Independent Order of Odd Fellows, or for the benefit or use of any widow or child, or children of any deceased member of said

Order, and to render true accounts of such trust property, according to the laws of this Commonwealth relating to trustees and trust estates.

2979. The Home is situated at Meadville, Crawford County, Pennsylvania.

2980. The Home was incorporated by Act of Assembly, approved April 3, 1872.

The By-Laws of the Corporation, Article IV., provide that "the Grand Lodge Representative to the Home shall be a full voting member of the Board of Trustees, ex-officio."

OFFENCES.

See Improper Conduct.
Crimes.
False Charges.
Bringing Suit.
Embezzlement.
Drunkenness.
Fraud.

See Immoral Conduct.
Intemperance.
Obtaining Credit.
Libel.
Slander.
Age.
Feigning.

2981. The best definition, or rather classification, of offences against the Order will be found in the Constitution for Subordinate Lodges, which reads as follows. If a member of this Lodge violates the obligation he has taken at receiving the Initiatory or any other degrees, or office, or knowingly violates the established principles, rules, and customs of the Order, or disregards the requirements of the Constitution or the By-Laws of this Lodge, or commences against the Lodge any proceedings, either at law or in equity in any court, or is guilty of any other conduct unbecoming an Odd Fellow, he shall be amenable to the Lodge therefor, and shall be tried and punished by reprimand, fine, suspension or expulsion.

2982. Offences, considered from the broader standpoint of the general law, may be divided into two general classes:

(a). An offense against the Order may be defined as an act of omission or commission which is contrary to some particular law of the Order, making the omission or doing an offense, and fixing a penalty as punishment therefor.

(b). An offense against the Order may be some act of omission or commission, either of duty or deportment, either within or without the Lodge, that may come within the broad powers vested in all organizations to judge or review the conduct of their members, in so far as it relates to the society itself, and to the reciprocal obligations between the society and all its members, and to determine whether the offense is such as renders the member unfit for further association with the society, or merely calls for his punishment by suspension, reprimand, warning or fine. For example, a Subordinate Lodge has power to try, and upon conviction, expel a member for introducing a woman of bad repute to an Odd Fellows' Festival, he having knowledge of her character.

2983. In any event, it is the intent which is the gist of the offense; was it intended to do something offensive, impertinent, unlawful, improper or forbidden, or to omit doing something commanded to be done, in a way or manner which amounts to a wrong against the Lodge or the Order, and which is not a mere private grievance.

2984. These distinctions are important, for while the general charge against a member shall be an averment of "conduct unbecoming an Odd Fellow," followed by a specification or specifications stating the time, place and circumstances of the offense, each specification must state an offense triable in the Lodge, and each offense shall be the subject of a separate specification.

OFFICER.

2985. What extent of penalty can be adjudged upon an officer who shall be found guilty of official misconduct, his character as a man and Odd Fellow not being impugned, depends upon the Constitution and By-Laws of the Subordinate Lodge, or the penalty affixed by the legislation of the Grand Lodge for such official misconduct.

2986. The Grand Lodge cannot elect an officer of a Subordinate Lodge.

OFFICIAL CERTIFICATE.

See Dues.
Pass Word.
Annual Traveling Pass Word.
See Semi-Annual Pass Word.
Transfer of Membership.

2987. In 1896 the following preambles and resolutions were adopted by The Sovereign Grand Lodge:

"Whereas, One of the principal privileges of membership in our great Order is the right of intervisitation in a body, or as individuals, indiscriminately of the jurisdiction to which they may be attached; and

Whereas, The membership on the borders of contiguous jurisdictions is not availing itself of this privilege to such an extent as would be desirable and conducive to the prosperity of the Lodges and Encampments so located, as well as beneficial to the membership of the same;

"Whereas, Said privilege is practically made useless and to a certain extent inoperative by the irksome and cumbersome formalities required to be observed to obtain the same, to wit: the "Visiting Card," without which it is well known no member can lawfully gain admittance into a Lodge or Encampment of another jurisdiction, except when introduced by an elective Grand Officer; and

"Whereas, Numerous Odd Fellows, members of one jurisdiction, live in another, closely bordering on their own, seldom or ever visit such Lodges or Encampments, because they are not in possession of a Visiting Card, and, therefore, cannot legally visit, as such members have obtained a receipt for dues paid and decline to pay twenty-five cents or more for another one, in the shape of a Visiting Card; and

"Whereas, Our great Order claims to be, and is, progressive in its character, which feature has raised it to be the first benevolent Organization on the face of the globe, it is the opinion of a large majority of the membership that the progressive spirit of our century should be applied to this relic of the past, and that this Sovereign Grand Lodge should adopt such measures as will afford proper relief to the membership.

'Resolved, That there be prepared the form of a receipt for dues, etc., to be recognized as evidence of good standing when the holder desires to make visitation in another jurisdiction, in lieu of a Visiting Card. Said form of a receipt to be universal throughout all the jurisdictions on this continent, and to be used as the only and legal receipt for dues, assessments, fees, etc., by all Lodges, Encampments and Rebekah Lodges. The Annual Traveling Pass Word to be communicated to every member when paying his dues, and the privilege to visit in another jurisdiction to depend upon his receipt, which shall bear his signature on the margin, the genuineness of which he must prove before the Examining Committee, and the proper pass word.

"Said receipts to be sold by the Grand Secretary of the Sovereign Grand Lodge to the Grand Secretaries and Grand Scribes of Subordinate Grand Bodies, and to the Lodges and Encampments under the immediate jurisdiction of the Sovereign Grand Lodge on this continent as regular supplies, conformable to the rules and regulations governing the sale of all supplies by the Sovereign Grand Lodge.

"Said form of receipt to be plainly bound in a convenient shape and size, with stub attached to each receipt, shall be furnished to Subordinate Grand Bodies, and to Lodges and Encampments under the immediate jurisdiction of the Sovereign Grand Lodge on this continent, at an advance not to exceed per centum, of the actual cost, and by Subordinate Grand Bodies to their respective subordinates, at an additional advance of per centum, whereby the supposed loss from the sale of Visiting Cards, in our

opinion, will not only be amply covered, but will also largely increase the revenue of this Sovereign Grand Lodge.

"Provided, However, that nothing in these preambles and resolutions shall be so construed as to intend to abolish or restrict the present use or purposes of the Visiting Card, or to abrogate any of the rights and privileges to which its holder is thereby entitled under the present laws of the Order; on the contrary, any brother who, by the general laws of the Order is qualified to apply for the same, shall be entitled to receive a Visiting Card, as heretofore, and the holding of such Visiting Card shall be prima facie evidence of good standing in the Order; and it is further.

"Provided, That upon the presentation of an official receipt only, a Lodge or Encampment shall not be required to pay sick or funeral benefits, or render other pecuniary aid to a member of another jurisdiction, unless so directed by the Lodge or Encampment of which the brother is a member, in which case such benefits or moneys paid shall constitute a legal claim against such Lodge or Encampment; and be it further

"Recommended that the word 'certificate' be substituted for 'receipt,' wherever it occurs in the above resolutions.

"Resolved, That said preambles and resolutions be approved and the Committee on Printing Supplies be, and they are hereby, instructed to provide the aforementioned certificates, and determine and fix the price for which the same are to be sold, and be it further

"Resolved, That the holder of a certificate, as mentioned above, shall be considered to hold a proper card as required under Article XVI., Section 1, of the Constitution of the Sovereign Grand Lodge."

2988. The next year the following supplementary legislation was enacted by the Sovereign Grand Lodge:

The Official Certificate provided for by the legislation of 1896 shall be furnished to Subordinate Grand Bodies at and for the rate of eighty cents per hundred, and to Subordinate Lodges, Subordinate Encampments and Rebekah Lodges at the rate of one dollar per hundred.

That the said Official Certificate, heretofore engraved, shall hereafter be lithographed, thus materially reducing its cost to this Grand Body; and if the same can be done, that the right to prepare it and its exclusive use be protected by letters patent; otherwise that it be copyrighted.

That hereafter the Official Receipt (Certificate) shall be designated as the "Official Certificate," and shall be issued in all cases where members pay dues and assessments to Subordinate Bodies, and shall request a receipt, and that such change be made in the form and matter as to make it plain and distinct, with ample space for necessary signatures, and a line for the location of the body issuing it and the date.

That the Official Certificate shall be issued by and signed by the Permanent Secretary of Subordinate Lodge, if there be one, the Financial Scribe, if there be one, of Encampments, or the Secretary of a Rebekah Lodge, attested by the seal of the body issuing the same. If a Lodge has no Permanent Secretary, the certificate shall be signed by the Secretary, and if an Encampment has no Financial Scribe, shall be signed by the Scribe.

That in all other respects than is hereinabove set forth, said Official Certificate shall conform to, and carry with it, all the rights and privileges provided by the legislation of 1896 relative to the subject matter herein above referred to.

That the Official Certificate and the Visiting Card shall be the only legal acknowledgment for dues and assessments paid by a member to the Subordinate Lodge, Subordinate Encampment, or Rebekah Lodge.

2989. In 1899 the following supplementary legislation was enacted by the Sovereign Grand Lodge on the same subject:

Resolved, That the possession of a Visiting Card, the date of which extends to a date later than when the same is presented, or an Official Certificate for dues paid to a date later than that when the same is presented, properly signed and sealed be, and the same is hereby, declared sufficient proper and legal authority for any Noble Grand, Chief Patriarch, or Noble

OFFICIAL CERTIFICATE.

Grand of a Rebekah Lodge, upon proper identification, to communicate to the holder thereof the Annual Traveling Pass Word, or the annual pass word of the Rebekah Degree (as the case may be), and if the holder of a Visiting Card or Official Certificate, as above mentioned, is a member of a Lodge, Encampment, or Rebekah Lodge in the same jurisdiction as the Lodge, Encampment, or Rebekah Lodge to which the said Visiting Card or Official Certificate is presented then, and in that event, the Noble Grand Chief Patriarch, or Noble Grand of a Rebekah Lodge is authorized to communicate to the holder of said Visiting Card or Official Certificate the Semi-Annual Pass Word, or check word (as the case may require).

Resolved, That all laws in conflict herewith be and the same are hereby repealed.

2990. Prior to the adoption of said Official Certificate, the Sovereign Grand Lodge derived considerable revenue from the sale of the Visiting Card, and while it was recognized that the use of this certificate—carrying with it the right of inter-state visitation—would lessen the sale of the Visiting Card, and thus reduce the revenues from that source, it was supposed that the sale of the certificate being both a receipt for dues and a Visiting Card, would not only make good the loss of revenue caused by the lessened sale of the former card, but would materially augment the total revenues of the Sovereign Grand Lodge, but this, for several years did not prove to be the case. From the beginning this Official Certificate was declared to be the only receipt for dues, and again in 1897, when the subject matter of the Official Certificate was thoroughly discussed by the Sovereign Grand Lodge, it was declared "that the Official Certificate and the Visiting Card shall be the only legal acknowledgment for dues and assessments paid by a member to the Subordinate Lodge, Subordinate Encampment, or Rebekah Lodge;" and at the same time it was resolved "that hereafter the Official Receipt (certificate) shall be designated as the 'Official Certificate,' and shall be issued in all cases where members pay dues and assessments to Subordinate Bodies and shall request a receipt, and that such a change be made in the form and matter as to make it plain and distinct, with ample space for necessary signatures and a line for the location of the body issuing it and the date." The words "and shall request a receipt" were not in the resolution as reported by the committee on legislation, but were inserted as an amendment during the discussion, and this amendment has been a source of trouble and a constant cause of loss of revenue, ever since its adoption. While many of the jurisdictions appreciate the value of the Official Certificate, and recognize the advantages coming from its use—it being at once a receipt and Visiting Card, an order for the traveling pass word, and an order for the term pass word—and are loyally obeying and enforcing the law of the Sovereign Grand Lodge, both in letter and in spirit,, a great many jurisdictions (and we regret to say some of the larger ones), taking advantage of the amendment above cited, are not using the Official Certificate, except to a very limited extent. We are informed that they claim this privilege under the guise of the amendment quoted by asserting that they are not obliged to use an Official Certificate unless the member asks for a receipt. A Lodge that does not compel a receipt to be issued for every cent of money it receives is pretty sure to get into trouble, as is the brother who pays money to a Lodge without receiving a receipt, and sound business methods demand that a receipt should both be demanded and offered, thus securing the brother for the money paid, and assuring the Lodge that a correct account is kept between itself and its members. The Official Certificate is constantly growing in favor, as has been demonstrated by its increased sale, and as its advantages are better and more commonly known, and the brothers understand that this receipt is also a Visiting Card and an order for all the necessary pass words, they will demand it and the jurisdiction will be compelled by the very force of opinion to its use. We believe the words " and shall request a receipt" should be stricken out of the law, and the use of this certificate should be made mandatory in all Subordinate Jurisdictions, and when this is done it

cannot truly be said that a few jurisdictions, by loyally obeying the law, are contributing largely to our revenues, while other jurisdictions are not bearing their full share of the Order's burden, and in some instances not contributing as much as they did under the old system, when they were obliged to pay twenty-five cents for every Visiting Card they secured.

2991. It has been urged, and substantial arguments have been made in favor of a general per capita tax to be levied by the Sovereign Grand Lodge; and the Sovereign Grand Lodge was urged to make the use of this certificate mandatory in all cases and thus by the payment of a very small per capita tax enable the body to reap a larger revenue from practically its only source of supply, for under existing conditons the Offical Certificate is practically the only source of material revenue open to this body, and as far as possible every member of the Order should contribute to it equally.

2992. The price of the certificate was in 1900 changed to the following schedule. When the annual sale of certificates reaches 3,000,000, the price thereof to Grand Jurisdictions shall be 60 cents per hundred; when the annual sale reaches 4,000,000, the price shall be 55 cents per hundred; and when the annual sale reaches 5,000,000, the price thereof shall be 50 cents per hundred. This reduction in price would change the cost to Subordinate Bodies to 80, 75, or 70 cents, as the case may be, as the annual sales reached the quantities herein named.

2993. As the sales of Official Certificates during the fiscal year (1906) just closed amounted to 2,920,700, being an increase of 434,600 over the previous year, it is reasonably certain that the reduction to 60 cents will go into effect August 1, 1907. With such reduction accomplished it is confidently believed that the certificate will become more popular and that the letter and for dues that it will then be but a comparatively short time when the next spirit of the law will be so fully complied with, making this the only receipt reduction under existing laws will be made, and the price fixed to Grand Bodies at 55 cents per hundred when the annual sales aggregate 4,000,000 certificates.

2994. The color of the printing on the back of the Official Certificate is varied so as to show at a glance the branch of the Order for which the certificate is adapted, viz.; Red for the Subordinate Lodge; Purple for the Encampment; Green for the Rebekah Lodge.

2995. The Official Certificate for dues paid to a date later than when the same is presented is practically equivalent to an universal pass word, as when it is presented, properly signed by the Secretary and Noble Grand of his Lodge, with the seal thereof properly attached, it is sufficient and legal authority for any Noble Grand, upon proper identification, to communicate to the holder thereof the current Annual Traveling Pass Word of the Order.

2996. The old "order for the pass word" sent or given to absent brothers is practically obsolete, except for a Withdrawal Card in date, as an Official Certificate in proper form, and showing dues paid to a date later than when the same is presented is of itself an order for the Annual Traveling Pass Word.

2997. The legislation authorizing the Official Certificate and making it authority for admission of its holder to Lodges and Encampments and Rebekah Lodges is limited to the continent of North America, and hence such Official Certificate would not be authority for any Lodge not on the continent of North America to communicate the Annual Traveling Pass Word thereon.

2998. The resolution of 1898, providing that the Official Certificate for dues should, under certain circumstances, entitle the holder thereof to the "current traveling pass word" is mandatory upon all jurisdictions, whether they have consented thereto or not.

OFFICIAL CERTIFICATE.

2999. While an Official Certificate is the only legal receipt for dues and must be given when a receipt is demanded, without regard to the standing of the brother, nevertheless, only brothers who pay dues in advance are entitled to the Annual Traveling Pass Word upon obtaining official receipts. The authority for communicating the Annual Traveling Pass Word to the holder of an Official Certificate for dues paid in advance is found in the resolutions of 1898 and 1899.

3000. A Noble Grand has authority to communicate the Annual Traveling Pass Word to the holder of an Official Certificate or Visiting Card showing dues paid in advance, though the holder may have signed the same prior to its presentation to the Noble Grand, who should give to the brother with a Card or Official Certificate the Annual Traveling Pass Word current at the time of presentation; provided, the card covers a period which extends to a later date, and the Official Certificate shows dues paid in advance of its presentation.

3001. Under the law as set forth in the resolution of 1899, a Visiting Card or Official Certificate paid to a date later than when presented, and properly executed, is authority for having communicated to the holder from another jurisdiction the Annual Traveling Pass Word, if he passes a satisfactory examination. If the visiting brother be from the same jurisdiction and such Visiting Card or certificate shows advance payment, and he passes a satisfactory examination, he is entitled to have communicated to him the Semi-Annual Pass Word of the jurisdiction.

3002. The presentation of an Official Certificate does not authorize communication of term pass word by a Lodge other than a Lodge of the jurisdiction to which the holder belongs.

3003. A brother who is in possession of an Official Certificate in date, and the Annual Traveling Pass Word, may visit a Lodge within his own jurisdiction, although he be without the pass word of the current term.

3004. An Offical Certificate may be used in lieu of a Visiting Card as a basis for application for membership in another Lodge than that to which the member belonged when the certificate or card was issued, the applicant retaining his membership in the first named Lodge pending the result of his application to the second. Such official Certificate takes the place of the Visiting Card required by law for transfer of membership without change of residence.

3005. An Official Certificate is sufficient guarantee of good standing in a Lodge to accompany a petition for membership in any branch of the Order where membership depends upon membership in good standing in a Subordinate Lodge.

3006. The Official Certificate is the only lawful receipt that can be issued for the payment of dues and assessments, and Lodges are required to use the official form of receipt or certificate for dues to the entire exclusion of all other forms of receipts for dues.

3007. Statement. A brother asks for and receives an Official Certificate covering the space of fifteen months. During the time the certificate was in force, funeral assessments amounting to three dollars were assessed against the brother. After the expiration of time for which the certificate was granted, but inside of thirteen weeks the brother was taken sick. The funeral assessments against the brother were not paid at the time he was reported on the sick list.

Question. Under the above circumstances, is the brother entitled to weekly benefits?

Answer. Yes. Official Certificates confer all the privileges of Visiting Cards, except as to relief when away from the jurisdiction of the Lodge, without first notifying the Lodge thereof. A member being absent from the jurisdiction of his Lodge holding an Official Certificate, is chargeable with all funeral and other legal assessments which may fall due during the time

OFFICIAL CERTIFICATE.

for which the certificate was granted, but he cannot be suspended from benefits until three months after the expiration of the Official Certificate by accumulation of funeral dues accruing while the certificate is running.

3008. The Noble Grand signs, and the Financial Secretary is the proper officer to attest the certificates for dues prescribed by the Sovereign Grand Lodge, and the Recording Secretary must place the seal of the Lodge upon an Official Certificate.

3009. When a member pays his dues and demands an Official Certificate as a receipt for the payment the Noble Grand has no legal right to refuse to sign the Official Certificate until the brother first signs the same on the margin. The Noble Grand not only cannot refuse to sign, but must complete the card. The receipt is not official until signed by the Noble Grand. If the law required that the brother must sign before the Noble Grand signs, then brothers at a distance would be, seriously inconvenienced in obtaining their receipt for dues by mail. The same rule applying to the Visiting Card applies to the Official Certificate.

3010. When a brother pays his dues the Secretary is not allowed to give him a receipt for the same except on the form issued and sold by the Sovereign Grand Lodge, notwithstanding the brother does not desire the Annual Traveling Pass Word. Should he not desire a receipt, the Secretary is not compelled to issue him one.

3011. A Lodge cannot prescribe by By-Law that a small fee shall be paid by the brother on the issuance of an official form of receipt for dues, as it has no right to charge any price for issuing the official receipt for dues, but must furnish same free of charge.

3012. Neither Grand Lodges nor Grand Encampments nor Subordinate Lodges or Encampments can print the certificate for dues prescribed by the Sovereign Grand Lodge. They are printed by the Sovereign Grand Lodge exclusively.

OPENING.

See Warden. Conductor. *See* Regalia. Meetings.

3013. In examination prior to opening, the Warden should receive the pass word from the Noble Grand.

3014. Any brother occupying, either permanently or temporarily, a subordinate station in a Lodge, should wear the regalia of the office he thus occupies. Thus, if a Past Grand occupies the Vice Grand's chair, he should wear the blue regalia of that office, exactly as a Vice Grand, when acting as Noble Grand should wear the scarlet regalia of that chair. The same rule applies to other offices. But while thus holding, the Sovereign Grand Lodge does not consider a brother justified in refusing to give the pass word to a Past Grand acting temporarily as Warden, who had not assumed the proper regalia of that chair. If the presiding officer of the Lodge recognized him as Warden, and gave him orders accordingly, the brethren of the Lodge should follow his example by acknowledging his authority in that office. If they desire to question his right to act while improperly clothed, they should raise the question in some other way than by refusing to give him the pass word.

3015. Officers when addressed by the chair in the opening ceremony may respond "Noble Grand."

OPENING CHARTER.

3016. When a Lodge applied for a dispensation to open the charter for six months, the initiation fee to be half the usual amount, they were informed that there is no such thing known in this Order as the opening of the charter of a Lodge. The only way they can reduce their initiation fee is by an amendment to their By-Laws, reducing the fee to the minimum ($5.00), or any higher amount.

ORDER AND DECORUM.

See Visitation. *See* Grand Lodge. *See* Subordinate Lodge.

3017. The Grand Lodge has the inherent power, as has every deliberative assembly, to maintain its dignity by preserving order and decorum while in session, and punish all infractions of them.

ORGANIST.

3018. A Lodge has a member who is acting as organist, and whose service is needed in that office, and who wishes to qualify for an elective office. Nevertheless the Lodge cannot legally elect him to office by reason of his service as organist, although the latter office is considered an appointive office of the Lodge by its by laws, for the reason that he is not an appointive officer as laid down in the general laws of the Order.

ORDER OF BUSINESS.

See Meetings. *See* Quorum.

3019. The Noble Grand may transpose the order of business as laid down in the Ritual, when circumstances arise to justify it; but each item of business must be gone through with before the Lodge closes.

3020. The order of business contained in the printed work of subordinates is to be considered in the light of a recommendation merely; it is no part of the work of the Order, properly so called. What the character of the business transacted is to be the laws of the Sovereign Grand Lodge of the I. O. O. F. prescribe; but the mode of taking up and going through the business, both reason and policy requires should be left to the regulation of the subordinates themselves. If they can conveniently adhere to the forms in the Ritual, it is only proper they should do so; if they cannot, they may regulate the order of business to suit their particular necessities.

3021. When the Lodge is closed by a motion to adjourn all the orders of business cease, except for the disposition of the cases of sick and distressed members, upon the disposition of which the Lodge closes in due form.

ORPHANS.

(a). Entitled to Funeral Benefits. (b). Entitled to the Care of the Home.

(a). Entitled to Funeral Benefits.

3022. All orphans under the age of twenty-one are entitled to receive funeral benefits should the Lodge not have expended the money for funeral expenses and there is no widow.

3023. In the absence of such minor children of the deceased brother, his adult children would not be entitled to the funeral benefits, unless they were at the time of his death members of his family and were dependent upon him, or he was dependent upon them.

3024. A married daughter having a husband and family, with whom the deceased did not live, and who was in no wise dependent upon him, nor he upon her, is not entitled to funeral benefits.

3025. A married daughter, with whom the deceased was living and paying board to the husband, though she gave him attention and nursing, he being neither dependent upon her nor she upon him, is not entitled to funeral benefits, nor to the funeral expenses unexpended by the Lodge.

3026. Where a brother is divorced from his wife, his minor children become the first beneficiaries.

ORPHANS—Entitled to Funeral Benefits.

3027. The Lodge is not relieved of the responsibility to care for the orphan children of a deceased member of the Lodge by reason of their having been removed a distance from the Lodge by their mother an unworthy woman.

(b). Entitled to the Care of the Home.

3028. The rules and regulations of the Order only provide for orphans of deceased Odd Fellows, and then only under certain restrictions, to be admitted to the Orphans' Homes.

3029. The uniform age of admission to all Homes shall be three to twelve years ,and the age of dismissal shall be eighteen years.

3030. A Home retaining children over this age is not entitled to any compensation for the care of said children from the funds apportioned by the Grand Lodge for the support of the Homes.

3031. The question was asked, What is understood by the law adopted by the Grand Lodge in session in 1904, regarding the age limit which children may be admitted in the Orphans' Home? Must we admit children of twelve years of age?

Answer.—The Committee on Homes and Kindred Charities reported as follows: We recommend that uniform age for admission to all Homes shall be three to twelve years. After a child has reached the age of twelve years, he or she cannot be admitted to the Home. That children must be over three and under twelve years to be eligible for admittance in the Homes. This was approved by the Grand Lodge.

3032. Under the laws of this jurisdiction each Lodge is entitled to the benefits of the Orphans' Homes for the care and protection of the orphans of its deceased members, so far as the home, as supported by the Grand Lodge, is able to do so, without regard as to whether or not the Lodge is a member of some particular Home.

3033. Without positive proof that the surviving parent, whether father or mother, is unable to provide the means whereby to support and educate the child, the bounty of the orphans' dues does not inure to a half orphan. While, where both parents are dead, the presumption is in favor of the orphan, yet due caution and the proper protection of the fund would require that the Homes shall be prepared to show the Committee on Homes and Kindred Charities that adequate inquiries have been made and satisfactory proof obtained as to the condition, surroundings and possibility of other support of the child before final admission to the Home.

3034. Where a home is full and applicants appear from its territory for admission, the Committee on Homes and Kindred Charities have authority to direct them to be admitted, if otherwise eligible, to the Home in some other district that may have accommodations for them.

3035. As to the rule that a widow marrying must take children from the Home, there is merit in this recommendation in order to avoid possible imposition. The experience of the directors, however, evidences that an imperative rule would frequently prove an injustice to the child; and as the local Board has knowledge of each individual case, some discretion should be left to their judgment. The form of application must necessarily be amended to meet the intent of the Grand Lodge.

3036. Where a widow of an Odd Fellow, who has one or more children in one of our Homes, marries again, she is required to take her children from the Home, should the local Board so direct, and this condition is now exacted by the form of application when children are admitted.

3037. As to the rule that deductions in payments shall be made by reason of vacations to children, this brings with it some merit so far as the same may apply to reports. No advantage has accrued to the Homes by reason of the vacations, but adverse conditions were the result, and vaca-

ORPHANS—Entitled to the Care of the Home.

tions will necessarily be discontinued. It is proper, however, that the Grand Lodge should have reports in the fullest detail. Therefore, when children from the several Homes are granted leaves of absence for periods of one week or over, said absence shall be reported in the annual reports of the Secretaries of the Homes."

3038. As to the suggestion that the Grand Lodge adopt a rule to provide for the admission to the Homes of motherless children whose fathers are living, this recommendation has received broad and full consideration in all its contemplations. The directors of the Homes—whose experience should give weight to their opinions—are unanimously against the measure. Possible legal complications have also been considered. Even could it be legally considered, the proposition, as presented, would be decidedly unjust, enabling him who can pay to obtain the benefits of the Order's charities at nominal cost, whilst an equally deserving brother, who could not pay, but whose fraternal rights are entitled to full measure of consideration, would be deprived of the privileges accorded to him who can pay for maintenance. Whilst incidental cases may arise which would appeal to our sympathies, the fact remains our Homes are not boarding houses—were not intended as such, and should not be so anticipated by members of the Order. The Homes of the Order in Pennsylvania were established for the care and education of the fatherless orphans of our Order, and their prior rights cannot be prejudiced by the proposed legislation.

2039. Form of application for admission of an orphan to either of the Homes:

The following application must be made to a Lodge or Encampment and signed by the mother, guardian or next friend to the orphan.

.....19...

To the Officers and members of....., No., I. O. O. F., of Pa.

Sirs:—I hereby apply for the admission of, a child of....., late member of your....., to (Insert title of Home here.)

Respectfully yours,

.....

The following communication of the Lodge or Encampment to the Home must be filled up and signed by the Noble Grand and Secretary, or Chief Patriarch and Scribe, and the seal of the Lodge or Encampment impressed thereon ,and, together with the accompanying documents, sent to the Secretary of the Home:

To (Insert title of Home here.)

At a meeting of, No., I. O. O. F., located at..... Pennsylvania, held on.....day of....., 19.., it was, on motion,

Resolved, That the above application be approved and sent to the aforesaid Home, and that we respectfully request that be admitted to the Home.

The enclosed Certificate and Surrender of Guardian have been properly filled up and signed by the.....of the orphan, in the presence of Brother....., of this..... Brother....., the father of said orphan was.....at the time of his decease in good standing. (If not, state what his standing was, and reasons therefor.)

Fraternally yours,

.....Noble Grand.

.....Secretary.

Seal of Lodge.

3040. Form of certificate to accompany an application for admission of an orphan to either of the Homes:

The "Certificate" and the "Surrender of Guardianship" following, when filled up, must be signed by the mother, Guardian, or next friend of the orphan, in the presence of a member of the Lodge or Encampment, and signed by him as a witness that the person signing was aware of the contents thereof.

ORPHANS—Entitled to the Care of the Home.

Form of Certificate.

Orphan's name in full
Place of birth Date
Property, real or personal.....
Insurance on life of Mother, $..... To whom paid
Insurance on life of Father, $..... To whom paid
Property, real or personal, owned by Father or Mother.....
Diseases passed through
Bodily infirmities Cause
General health Morals and temperment.....
Education
Number of Brothers living..... Names and ages.....
Number of sisters living..... Names and ages.....
Mother's name Nationality
Date of marriage..... Where registered.....
By whom married.....
Age, if living..... Occupation.....
Income of property..... Health.....
Residence.....
Mother Died..... Cause of death.....
Age at death..... Buried at.....
Guardian, or next friend.....
Residence.....
Father's name..... Nationality.....
Died..... Cause of Death.....
Age at death..... Buried at.....
Former occupation.....
Member of.....Lodge, No.
Member of.....Encampment, No.

I do hereby agree, that in the event of my remarrying I will take..... from the said Home, if so required by the Board of Directors.

I do hereby agree that any untrue statement made in above Certificate may forfeit the right of said orphan to be an inmate of said Home, and that said orphan and I will comply with the Rules and Regulations of said Home.

Signed by me this.....day of.....A. D. 19...

.....

In the presence of Brother.....

We, the Noble Grand and Secretary of.....Lodge, No, do hereby certify that a full and complete investigation has been made of the above and foreging statements of.....(Mother or Guardian) of the child.....and we have found them to be correct in each and every particular.

In witness whereof we have signed our names, and affixed the seal of the Lodge this.....day of....., 19...

.....,Noble Grand.

[Seal.], Secretary.

Form of Surrender of Guardianship.

Whereas, By an Act of Assembly of the Commonwealth of Pennsylvania, it is provided that all Corporations organized under any general or special law of this Commonwealth, for the purpose of providing homes for friendless or destitute persons or children, shall have power to receive and to bind out and provide suitable homes for all children committed to their charge, when maintenance is unprovided for by their parents or guardians.

Now these presents witness, That I,.....of the child, ...do hereby surrender and deliver up to.....(Insert title of the Home here).....said.....being of the age of..... years on the.....day of....., A. D. 19..., said Home to have absolute and full control of said child for the purpose mentioned in the

ORPHANS—Entitled to the Care of the Home.

charter and By-Laws of the Said Home and of said Act of Assembly, the said child not having any property or means whereby.....can be supported, and I do hereby request the said Home to receive said child for the purpose mentioned in said charter and By-Laws and Act of Assembly, not having ability or sufficient means or property of my own to properly maintain, educate and provide for said child.

In witness whereof,.....have hereunto set.....hand and seal the.....day of....., A. D. 19...

..... (seal.)

Sealed and delivered in the presence of Brother.....

3041. Form of Physician's Certificate.

I, the undersigned, a practicing Physician, located at....., certify that I have examined,the applicant for admission to.....(here insert title of Home.).....and find that..... is in good health and presents no symptoms of any acute or chronic disease.

....., Physician.

Form of report of Committee on Admissions.

To the Board of Directors of.....(Insert title of Home here).....

We hereby recommend that..... be.....admitted into the Home.

..... Committee on Admission.

..... examined and found to be in good health, and no symptoms of any acute or chronic disease.

....., Physician for Home.

Form of endorsement on back of application:

Application for the admission of....., at the request of No., I. O. O. F., Located at.....Pennsylvania.

Commitee report.....favorable.

Admitted....., 19....

....., President.

....., Secretary.

3042. Form for endorsement of action of Committee on Homes and Kindred Charities in reference to the application for the admission of an orphan to either of the Homes:

The application of.....to the.....at....., is hereby approved.

.....,

.....,

.....,

Committee on Homes and Kindred Charities.

ORPHANS' ASYLUM FUND.

See Homes.

3043. At the Session of the Sovereign Grand Lodge, September, 1892, the following, among other proceedings, were had:

Rep. Strickland, of Mississippi, from the Judiciary Committee, made the following report which was laid on the table, under the rule and finally adopted: To the Sovereign Grand Lodge of the I. O. O. F.:—Your Committee have considered the matters involved in the preamble and resolutions offered by Rep. Rea, of Pennsylvania, in respect to the transfer by the Grand Lodge of Pennsylvania of $10,000.00 out of its accumulated Orphans' Asylum Fund to the Home for the Orphans of Odd Fellows of Pennsylvania. It appears from the papers submitted to us that in the jurisdiction of Pennsylvania there exists in the Grand Lodge an Orphans' Asylum Fund, gathered some years ago through the voluntary contributions and assessments upon its membership. The purpose for which the fund was created was the establishment of a Home for the Orphans of Odd Fellows of Pennsylvania. No such Home has been established, and the fund has been accumulating. In the meantime an association of Lodges organized a Home at Philadelphia,

ORPHANS' ASYLUM FUND.

which has been in sucessful operation for some years. A few years ago, the Grand Lodge of Pennsylvania suggested to the managers of the existing home that they so modify and enlarge the laws governing their home as that the Grand Lodge can safely and legally consolidate its own Orphans' Asylum Fund with those of the existing home. Following this suggestion the managers of the Home in legal form so amended their Constitution as to make it entirely a representative organization under the management and control of the Representatives of the Lodges, Encampments and Cantons of the I. O. O. F. of Pennsylvania, and placed its beneficences within the reach of all the orphans of Odd Fellows of Pennsylvania. These changes in the purposes and scope of the existing Home having been made, the Grand Lodge of Pennsylvania resolved to transfer to the Home Ten Thousand Dollars of its Orphans' Asylum Fund. To the end that a proper decree in the Courts of Pennsylvania may be had for the protection of the Trustees of the Fund, it was deemed best to obtain the consent to this transfer of all the bodies having a possible interest in or control over the Funds, hence, the Representatives from Pennsylvania were charged with the duty of securing, if possible, the approval of this body to the transfer of this fund. Your committee can see no good reason why this body should withhold its consent to the accomplishment of the laudable purpose in view. -Your committee, therefore, recommend the adoption of the preamble and resolution submitted by Rep. Rea, and which reads as follows:

Whereas, It appears by the papers submitted, setting forth the action of the Grand Lodge of Pennsylvania, in relation to the "Home for Orphans of Odd Fellows," that the purposes of the Trust Fund now held by the Trustees of the Grand Lodge of Pennsylvania have been fully secured, and the objects and purposes of the creation of the said fund will be carried out, therefore be it

Resolved, That the Sovereign Grand Lodge hereby approves of, and consents to the cancellation of the mortgage indebtedness of Ten Thousand Dollars ($10,000.00) held by the Trustees of the Grand Lodge of Pennsylvania against the Home for Orphans in Philadelphia; and the moneys hereby transferred shall be assured to the said home under the terms of the "Orphans' Asylum Fund," for the object of the said corporation, viz.. for a Home for, and to support, maintain and educate therein, the orphans of Odd Fellows of Pennsylvania, under the terms and conditions set forth in the resolutions submitted by the special committee of the Grand Lodge of Penn- at the May Session of 1892.

The resolution above referred to as having been adopted by the Grand Lodge of Pennsylvania is as follows:

Resolved, That there be paid to the Home for Orphans, situated in the city of Philadelphia, the sum of Ten Thousand Dollars out of the Orphans' Asylum Fund, and that the Trustees of the Orphans' Asylum Fund be, and they are hereby, directed to make such payments, assignments, transfers and satisfactions as may be necessary to carry into effect the transfer to the Home for Orphans situated in Philadelphia the, sum of Ten Thousand Dollars, now secured by mortgage against the property of said Home, Twentieth and Ontario streets, Philadelphia, and to do such other acts as may be necessary and proper to comply with the purpose and intent of these resolutions; provided, nevertheless, that the said Home for Orphans of Odd Fellows of Pennsylvania, shall agree that no new mortgage shall ever be created against the property without the consent of the Grand Lodge of Pennsylvania being first obtained.

3044. At the Annual Session of the Grand Lodge, May, 18, 1894, the Committee on Homes and Kindred Charities reported as follows which was adopted:

Upon the subject of a further division of the "Asylum Fund," your Committee has thoroughly and fully canvassed the subject with both the Western Homes. The one at Ben Avon has, we are informed, so changed its laws and enlarged its field of work as to comply with the expressed wishes of this Grand Lodge relating to that fund as to merit a portion of that fund; and the one at Meadville has expressed a willingness to also change their laws and field of work

as to come within the same line. We therefore offer the following recommendations:

1st. The balance of the "Asylum Fund," in the hands of the Trustees be given or donated to the Widows' and Orphans' Home, at Ben Avon, Allegheny County, Pa., when it shall file with this Grand Lodge a copy of its laws, as above reported, together with proper assurances that no mortgage shall ever be placed thereon.

2d. That when the Odd Fellows' Home of Western Pennsylvania, at Meadville, Crawford County, shall so change its laws and file them with this Grand Lodge and similar assurances that no future mortgage shall be placed upon its property; that the mortgage now held to secure the $2,000 loaned to it from the "Asylum Fund" be cancelled and the present loan become its property as its just proportion of the "Asylum Fund."

3045. At the session of the Grand Lodge of Pennsylvania, held in May, 1895, the following was presented and adopted:

To the Grand Lodge of Pennsylvania, I. O. O. F.:

The undersigned Trustees of the Orphans' Asylum Fund respectfully report, that in pursuance of the resolutions and directions of this Grand Lodge at its last Annual Session they have duly transferred to the Widows' and Orphans' Home at Ben Avon, Allegheny County, Pa., the following assets, formerly constituting a part of the Orphans' Asylum Fund of this Grand Lodge, to wit.: $2,000 of Philadelphia & Reading R. R. Co.'s first preference bonds, $13,000 of Philadelphia & Reading R. R. Co.'s third preference bonds.

These transfers were made after the Board of Trustees had received satisfactory evidence that the Home at Ben Avon had complied with the conditions prescribed in the resolutions above referred to.

The mortgage of $10,000 on the Home for the Orphans' of Odd Fellows of Pennsylvania, and the mortgage of $2,000 on the Odd Fellows' Home of Western Pennsylvania have not yet been cancelled or satisfied, as the authority given for that purpose by the Sovereign Grand Lodge is now coupled with conditions that have not yet been complied with.

There still remains in the hands of the Grand Treasurer, belonging to the Orphans' Asylum Fund the sum of $377.06. To the end that the entire Fund may be properly disposed of, we recommend the adoption of the following resolutions:

First—That our Representatives to the Sovereign Grand Lodge be requested, if possible, to secure such legislation as will permit the mortgage of $10,000 on the Home for Orphans of Odd Fellows of Pennsylvania, and the mortgage of $2,000 on the Odd Fellows' Home of Western Pennsylvania to be satisfied and cancelled without any proceedings in or decree of court.

Second—That the Trustees of the Orphans' Asylum Fund and the Grand Master and Treasurer are directed to pay over unto the Widows' and Orphans' Home at Ben Avon, Allegheny County Pa., the sum of $377.06, now constituting the balance of the said Fund.

3046. At the session of the Grand Lodge, May, 1898, the following was presented, whereby the Orphans' Asylum Fund was finally transferred to the several homes above named for the uses and purposes of its creation.

The Trustees of the Orphans' Asylum Fund beg leave to respectfully report that, in pursuance of the legislation of the Sovereign Grand Lodge, and of the resolutions of this Grand Lodge, they have entered satisfaction on the margin of the record of the mortgage for $10,000 held against the Home for Orphans of Odd Fellows at Philadelphia, on the 27th day of May, 1897, and that the mortgage held by your Trustees for $2,000 against the Odd Fellows' Home of Western Pennsylvania at Meadville has also been satisfied of record, satisfaction having been entered June 4, 1897.

3047. Whereby the Orphans' Asylum Fund ceased to exist as a separate fund and was consolidated with the property of these three Homes for the purposes of caring for the orphans of Odd Fellows of Pennsylvania.

3048. As a preliminary to all this there was a report of a committee, above referred to, at the May session in 1892, who reported as follows:

ORPHANS' ASYLUM FUND.

1st. That in the judgment of your Committee, the Orphans' Asylum Fund should be applied to the practical accomplishment of the purposes for which it was contributed, and the present trust for investment should be brought to an end, and the Trustees discharged from the duties thereof.

2nd. It seems clear that if the purpose of the donors had been carried out when the fund was originally created the Grand Lodge would have been unwilling to assume the personal responsibility necessary to the successful accomplishment of the trust, and moreover being a legislative body, it would have found the executive functions thereby imposed, most burdensome. It would therefore most probably have secured a charter for a corporation for the purpose.

* * * * * * * * * * * * * *

4th. A meeting was arranged at which the Trustees and the Representatives of the Home were present, and a general exchange of views was had concerning the disposition of the fund.

5th. At the suggestion of the Committee the corporation has adopted all the necessary changes in its laws and scheme of government, that were required by your Trustees and the Committee. And it directed its officers to have the same approved by the Courts. By these changes the corporation recognizes the Grand Lodge as its fountain head, and it becomes entirely a representative organization under the management of Representatives from the Lodges, Encampments and Cantons of the I. O. O. F. in Pennsylvania. The Representative of the Grand Lodge becoming by virtue of his office, second Vice-President, and a member of the Board of Directors.

6th. These changes make the Home in Philadelphia substantially such a corporation as your body would have originally created. And not only are the corporate laws and scheme of government correct, but the Home has an actual, practical, successful existence, enjoying not only the fraternal sympathy of a large portion of the Order, but it has accumulated property, etc., in excess of the Grand Lodge Fund.

[The papers and agreements are on file in the Grand Secretary's office, showing that these Homes have severally accepted all the conditions herein stated.]

OTHER SOCIETIES.

3049. Members of the I. O. O. F. may unite with any lawful society or association, without severing their connection with this Order.

3050. Without the brother's consent or request therefor, it is not lawful to certify, with or without seal, to the amount of benefits paid, or to the standing of a member as a matter of courtesy to outside organizations.

3051. The law concerning spurious or unauthorized degrees, has as a proviso, that it shall not be interpreted so as to affect any such proceedings as may be had in such Lodge rooms by other secret associations not under the color of Odd Fellowship.

OUTSIDE GUARDIAN.

See Salary.

3052. Lodges may by their By-Laws provide for the payment of a reasonable salary to the Outside Guardian, when acting as janitor, or assisting in taking charge of Regalia, etc.

PARALYTIC.

3053. An aged member, wholly unable to do any work, and confined to the house from an attack of paralysis, but who has an income equal to the weekly benefits allowed by the By-Laws of the Lodge, is entitled to benefits under the law of Pennsylvania, which provides that a member "who, through sickness or disability arising from injury, is unable to follow his usual occupation or some other occupation whereby he may earn a livelihood."

3054. A member sick as the result of sciatica and creeping or progressive paralysis to such an extent that he cannot follow his usual or some other occupa-

PARALYTIC.

tion whereby he may earn a livelihood or a sum equal to the weekly benefits, is entitled to benefits.

3055. A member who suffers a stroke of paralysis while he is non-beneficial, cannot pay up his arrearages and become entitled to weekly benefits, while suffering from that disability. He should be placed on the sick list, and is entitled to attentive benefits.

PASS WORD.

See Annual Traveling Pass Word.
Semi-Annual Password.
Cards.
See Withdrawal Cards.
Official Certificate.
Visitation.

3056. The signs, grips and pass words of the Order are designed to speak one universal language to the initiated of every nationality, the world over. Therefore the annual and permanent pass words of the degrees are not to be translated into any other language, or spoken other than as they are written, spelled and pronounced in the English language.

3057. A member in good standing, residing at a distance from his Lodge, but in the same jurisdiction, is entitled to the semi-annual pass word; and it is the duty of the Noble Grand of the Lodge to which the brother belongs upon proper application being made, to request the Noble Grand of the nearest Lodge to the brother's abode, to impart unto him the semi-annual pass word. This is however not generally used as it has practically become obsolete by later legislation concerning the communication of the proper pass word on presentation of a Visiting Card or Official Certificate.

3058. When a Noble Grand receives a request from another Lodge to communicate the semi-annual pass word to one of its members, he shall, in the first place, satisfy himself of the personal identity of the member. He shall then require the member to prove himself in the unwritten work of the Order, before he communicates the pass word.

3059. If the visiting brother present an Official Certificate or Visiting Card showing dues paid to a later date than when presented and properly executed, the Noble Grand of any Lodge, if the visiting brother be from the same jurisdiction, and he passes a satisfactory examination, shall communicate to him the semi-annual pass word of the jurisdiction.

3060. The presentation of an Official Certificate does not authorize the communication of the term pass word by a Lodge other than a Lodge of the jurisdiction to which the holder belongs.

3061. A member of a Lodge, residing in a different jurisdiction, holding a Visiting Card or Official Certificate, is entitled to the Annual Traveling Pass Word; and it is the duty of the Noble Grand of the Lodge to which the brother belongs, upon proper application being made for a Visiting Card and the pass word, to transmit, at the time of sending the card, a written request to the Noble Grand of the Lodge nearest to the brother's abode, to impart the Annual Traveling Pass Word. The Card or Official Certificate are of themselves sufficient authority for any Noble Grand to communicate the pass word, if the brother has no official order for the pass word.

3062. A Noble Grand cannot refuse to give the Annual Traveling pass Word upon a brother who presents his Traveling Card, with a letter of request to that effect from his lodge, both under seal and in due form of law, except there might be an extreme case of a brother com-mitting felony after the date of the letter of request and before presentation, in which a Noble Grand would feel himself justified in declining to comply with the request.

3063. A Visiting Card or Official Certificate paid to date later than when presented, and properly executed, is authority for having communicated to the holder from another jurisdiction the Annual Traveling Pass Word, if he passes a satisfactory examination.

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3064. The legislation authorizing the Official Certificate and making it authority for admission of its holder to Lodges, Encampments and Rebekah Lodges is limited to the continent of North America, and hence such Official Certificate would not be authority for any Lodge not on the continent of North America to communicate the Annual Traveling Pass Word thereon.

3065. The holder of a properly authenticated Visiting Card, the date of which extends to a date later than when the same is presented, and upon proper identification, would, in the same manner as is now practised upon the continent of North America, be entitled to have communicated to him the Annual Traveling Pass word by the presiding officer of any Lodge, irrespective of the location of the Lodge to which it is presented.

3066. The Annual Traveling Password required of a brother to prove himself in possession of, when he offers to visit a Subordinate Lodge on a Visiting or unexpired Withdrawal Card, or Official Certificate, or is an applicant for membership therein by deposit of a proper card or Official Certificate, is the Annual Traveling Pass Word of the year in which the card was issued and bears date.

3067. The law as stated in the previous section was recently modified as follows: where the Noble Grand of a Lodge is asked to give the holder of a Visiting Card or Official Certificate, still in date for visiting purposes, but issued during the preceding calendar, the Annual Traveling Pass Word, the brother should be given the Annual Traveling Pass Word current at the time or presentation; provided, the card or certificate covers a period which extends to a later date.

3068. If a brother holding a Withdrawal Card forgets the Annual Traveling Pass Word, the Noble Grand of the Lodge from which he withdrew has the authority, and it is his duty to again communicate the word to the brother on the presentation of the card, within one year from its date.

3069. The Annual Traveling Pass Word is primarily designed for the use of brethren who are traveling beyond the limits of the jurisdiction to which they belong; but may also be used with a Visiting Card in the jurisdiction to which the brethren belong who have received it in good faith for said primary purpose.

3070. In order that brethren who have received Cards or Official Certificates may be properly instructed in the Annual Traveling Pass Word, and visiting brethren from other jurisdictions be properly examined, the two highest elective officers of a Lodge are to be privately put in the possession of the word at the time of their installation, that they may be qualified either to give or receive it. The Grand Master and his deputies should also be in possession of it. None other than members who are placed in some of the positions above mentioned are entitled by virtue of their office to receive it.

3071. The Noble Grand can authorize the Warden to communicate the semi-annual pass word to a brother in the Lodge room entitled to it.

3072. The Right Supporter of the Noble Grand, temporarily occupying the Noble Grand's chair, has no right to authorize a brother to confer the term word upon another brother of the same Lodge, to enable him to visit other Lodges.

3073. The Noble Grand of a Lodge has not the right to admit a member belonging to another Lodge in his State Jurisdiction without the term pass word. Members of a Lodge are entitled to admission in their own Lodge, until suspended or dropped in accordance with the provisions of the Constitution, as until that time they are contributing members; but they are not entitled to vote or to receive the pass word if more than thirteen weeks in arrears for weekly and funeral dues.

3074. A brother presenting an Official Certificate, showing his dues to have been paid to a date prior to the date of such presentation, is not qualified to re-

PASS WORD.

ceive any pass word from or visit a Lodge. But, inasmuch as a brother in this jurisdiction is by law entitled to all the rights and privileges of membership until he is delinquent in the payment of his dues for over thirteen weeks, and is thus entitled to the semi-annual pass word, therefore, if visiting in the same jurisdiction and in good standing, although his Official Certificate shows that the dues have not been paid up to the date of visit, nevertheless, a properly executed order for the current term pass word would, within thirteen weeks of the date of its expiration, authorize the Noble Grand of any Lodge in this jurisdiction to communicate the semi-annual pass word to the brother, independently of the conditions of his Official Certificate.

3075. A member who has been in arrears for weekly dues for a period exceeding thirteen weeks, upon paying said arrearages, is entitled to the semi-annual pass word; provided, he is not disqualified by the penal laws of the Order.

3076. A member has no right to visit a Lodge of which he is not a member on the old semi-annual pass word, when such Lodge is in possession of the new semi-annual pass word, after installation, although the old word remains in force or is still good in the Lodge to which he belongs.

3077. An Acting Noble Grand can communicate the pass word.

PAST GRAND MASTER.

See Grand Honors.
Honors of Office.
Grand Master.

See Deputy Grand Master.
Mileage.

3078. A Past Grand Master has a right to announce his title as such at the inner door when visiting a Subordinate Lodge on ordinary occasions, but he is not entitled to the honors of the Order, unless he visits on official business, which he should announce. Rank refers to the highest grade or title attained.

3079. It is optional with a Past Grand Master, when visiting a Lodge, to announce himself as Past Grand Master or Past Grand.

3080. Where the Constitution provides that the business of the Grand Lodge shall be transacted by the elective officers of the Grand Lodge, Past Grand Masters in good standing and Representatives, the Grand Lodge has authority to adopt a resolution that Past Grand Masters be paid mileage the same as Grand Officers and Representatives of the Grand Lodge.

PAST GRANDS.

See Degrees.

See Representative.

3081. From the ancient usage of the Order and the decisions of the Sovereign Grand Lodge, the rights guaranteed to past presiding officers of Subordinate Lodges are: To seats in their Grand Lodge, to vote for Grand Officers and eligibility to office. But the power to establish a system by which Subordinates shall be represented in the Grand Lodge by ratio of membership is not denied.

3082. Under the existing law past officers cannot be deprived of their rank simply because they are not members of the Grand Lodge, but are entitled to their rank by virtue of having filled said offices. For example a brother had passed the chairs in his Subordinate Lodge, and been certified as a Past Grand, his certificate received, and had become a member of the Grand Lodge. That body subsequently, for cause, expelled him therefrom. Held that the brother in question is entitled to rank as a Past Grand.

3083. Past Grands, on whom devolve legislative powers, and who are vested with certain rights and privileges, cannot surrender those rights and privileges to any body in the Order; they may fail to use them, but the right remains so long as they are members in good standing in the Order.

3084. A Past Grand in good standing cannot be deprived of his right to vote for Grand Officers, but at an election for officers, after the right has

been once exercised, a Constitutional provision limiting this right to Representatives of Lodges in Grand Lodges, when such bodies are composed of Representatives, and all other Past Grands, is entirely legal and equitable and does not infringe upon the original right of Past Grands to vote upon such elections.

3085. The general law does not authorize a Past Grand to cast his vote for any purpose in a Lodge other than the one to which he belongs. In the absence of local legislation, Past Grands can vote for Grand Lodge officers only at Grand Lodge sessions. The manner in which Past Grands may vote for Grand Officers is also subject to local legislation.

3086. Grand Lodges may make laws allowing Past Grands to vote for Grand Lodge officers without being obliged to be at the session of the Grand Lodge.

3087. Past Grands have no right to a vote by proxy for Grand officers.

3088. No ballot or vote should be taken upon granting a Past Grand's Certificate upon a faithful performance of the duties of the office of Noble Grand except when it is necessary to count the nights the Noble Grand was excused by the Lodge on account of his personal sickness in order to make up a majority of nights service during the term.

3089. A brother was installed as Noble Grand of a Lodge, and served but six nights out of the twenty-six nights in the term, and the Lodge issued to him a Past Grand's Certificate. Upon inquiry the statements were admitted by the Lodge. As our laws require an officer to serve a majority of the nights of a term to entitle him to honors, the proceedings of the Lodge were declared null and void, and the certificate was cancelled, with notice to the Lodge that the brother was not entitled to the honors or any rights or privileges delegated to a Past Grand.

3090. Nothing but actual service in a Noble Grand's Chair can entitle a brother to take rank as a Past Grand. A brother cannot be made a Past Grand by dispensation, or by the resolution of his Lodge.

3091. A Past Grand having resigned his membership, on being readmitted to the Order, is entitled to such rank as he can satisfy the Lodge he had previously attained.

3092. A card stating the rank of the holder thereof is not sufficient or conclusive evidence to entitle him to the privileges such rank confers. He must be proved in the work of the degree expressed in the card; provided, however, if the card states the holder thereof to be a Past Grand, and he shall not be able to prove himself in the work of that degree from not having received it, the fact as set forth in the card shall be sufficient evidence to entitle him to the privilege such rank confers.

3093. A Past Grand is not entitled to admission into his Grand Lodge without the pass word of the current term, he being more than thirteen weeks in arrears. If, being more than thirteen weeks in arrears, he obtains the pass word in a surreptitious manner, he does not acquire any rights, and is not entitled to sit in his Grand Lodge. A Grand Lodge, on ascertaining the fact that he is more than thirteen weeks in arrears, and that he obtained the pass word improperly, may eject him from its session.

3094. A Past Grand should neither enter nor remain in a Subordinate Lodge when open without wearing a Past Grand's collar.

3095. A Past Grand, who is not at the time a Representative, cannot submit questions or other propositions for consideration by the legislative committee of the Grand Lodge of his jurisdiction.

3096. A Grand Lodge may provide that Past Grands who are not Representatives shall not be allowed to vote therein except for the election of officers.

PAST GRANDS.

3097. A Past Grand not a Representative is entitled to visit the Grand Lodge in session, but he must prove himself to be in good standing by having the pass word of the current term.

3098. A Past Grand cannot install the officers of the Grand Lodge.

3099. In the absence of the Noble Grand and Vice Grand, it is the duty of a Past Grand present in the Lodge (usually the Senior Past Grand) to open the Lodge at its regular meeting.

PAST GRANDS ASSOCIATION.

3100. There is no prohibitory law to prevent the Past Grands of any prescribed territory, with the permission of the Grand Master, from organizing themselves into a "Past Grands' Association of....."

3101. A convention of Past Grands, as Representatives of their respective Subordinate Lodges, and intended to redress some alleged local grievance, is illegal, and while acting thus illegally they cannot be heard by the Grand Lodge.

PAST GRAND'S CHARGE.

See Junior Past Grand.

3102. There is no law which prevents the delivery of the Past Grand's charge by the Noble Grand, although it should be given by a Past Grand, if present. Under no circumstances, however, should this charge be given by a Vice Grand, and it cannot be given by a Third Degree member.

3103. It is within the discretion of the Subordinate Lodge to permit the candidate to stand or be seated during the delivery of the Past Grand's charge.

3104. In closing his charge, the Past Grand should not greet and welcome the brother by giving him the initiatory grip.

3105. The Junior Past Grand is not strictly an officer of a Lodge; it is rather a privilege conferred for satisfactory service in office, as it is an honor to have the right to deliver the Past Grand's charge at initiation.

3106. A Junior Past Grand elected Secretary of his Lodge while competent to give the Past Grand's charge, by his election and installation loses the right to claim the privilege as a matter of right to deliver this charge during the term he may be Junior Past Grand, and could not be required to do so.

PATRIARCH MILITANT.

See Regalia.

3107. The organization of Patriarchs Militant is the only authorized military branch of our Order. The degree of Patriarchs Militant should be treated for just what it is—a side degree, only valuable as an adjunct and a help to the great body of the Order, the subordinate membership.

3108. The Patriarchs Militant uniform is denominated a regalia and as such can be worn by chevaliers when visiting a Lodge. When a chevalier, as such, visits a subordinate he must be clothed in full uniform, either the full dress or the fatigue.

3109. The uniform of chevalier is a regalia only for the purpose of visitation to a Lodge and for no other purpose, for example, a chevalier in uniform, otherwise qualified, cannot assume or take any of the chairs of office in a subordinate Lodge, nor can a chevalier in uniform occupy the chair nor do the work of an officer in a subordinate Lodge, nor can the uniform be used as the regalia of a degree staff in conferring any part of the degrees in a Lodge. The brother must first change his uniform (denominated as regalia by the Sovereign Grand Lodge) for the stipulated regalia of the office taken or assumed, nor can a D. D. Grand Master be recognized as such when he visits a subordinate Lodge in his district officially if dressed in the Patriarchs Militant regalia uniform. He is required to wear the regalia appropriate to and specified for the civil office he holds.

PAYABLE WEEKLY.

See Weekly Benefits.

3110. No other rule is recognized than that "benefits are payable weekly." When local legislation provides for the payment of benefits for fractions of a week, the right to enjoy the benefits accrues at the end of the week of which the fraction is a part, not at the end of the sickness.

3111. The payment of a sick benefit is one of the fundamental principles of the Order, and no other rule is recognized than that "benefits are payable weekly." That is, every member entitled to benefits is entitled to the same at the end of each Lodge week, and not at the end of a month or a quarter.

3112. The fact that a brother recovers from a sick spell prior to the end of a Lodge week does not warrant him in demanding immediately upon the date of his recovery, the amount due him for the last week's sickness.

3113. A Lodge had fallen into the custom of holding over the accruing weekly benefits dues its members, for several weeks at a time, in order, as was stated, by its Secretary, that the amount might accumulate to such a sum as would be of substantial benefit to the sick brothers. It was decided that the custom, however laudable the intention, was illegal. "Benefits accrue weekly," and the manifest intention is that they be paid weekly. Any other course would be a violation of one of the cardinal principles of the Order, viz.:—that all brothers, the rich and the poor, are equal in its ministrations. The poor brother, when laid aside from his daily labor by sickness, needs his benefits for his family's daily bread. The wealthy brother does not so need. The poor brother must thus either buy on credit at a disadvantage, or be placed in the attitude of asking for his benefits weekly, on the ground of his necessities. The discrimination thus enforced is at variance with the intentions of the Order, and in direct violation of one of its boasted features.

3114. A Lodge was asked to advance a brother, sick and drawing benefits, one hundred week's benefits, to enable him to open a boarding house. It was held that benefits cannot legally be paid in advance. The money paid over and above what is due would be simply a loan, and is not permissible under our law.

PECUNIARY OBLIGATIONS.

See Obtaining Credit. *See* Collecting Debts.

3115. Members of the Order should not be held amenable to its penalties for a failure to comply with promises to pay pecuniary obligations. All grievances of this character are properly referable to the courts of competent jurisdiction for a full and complete remedy.

3116. An attempt to collect debts or to enforce any kind of pecuniary obligations through the instrumentality of our code of trials is subversive of justice and against the spirit and teachings of our Order, unless the obligation was incurred through some false pretense, or the transaction involves some act of personal dishonesty, subjecting the offender to a prosecution and conviction under the laws of the land.

3117. The refusal of a member to pay a debt due another member of his Lodge does not constitute sufficient ground for preferring charges against him. Unless there appears some element of fraud or misrepresentation in obtaining the credit, or unless the loan was made upon the faith of membership in the Order, charges will not lie.

PEERS.

3118. The Scarlet Degree is the highest degree in a Subordinate Lodge, and one of that degree is the peer of any other member of the Lodge, and is therefore qualified to sit upon any Trial Committee selected by the Lodge.

PENALTY.

(a). Punishment.
See Charges.
Trial.

(b). Excessive Punishment.
See Suspension.
Expulsion.

(a). Punishment.

3119. A penalty may be defined to be suffering in person, property or membership as a punishment annexed by law or judicial decision to such a violation of the laws of the Order as amount to conduct unbecoming an Odd Fellow.

3120. Odd Fellowship is an ethical government, a sovereignty within itself self-controlling and independent; within its own prescribed sphere its authority is supreme. Its members acquiesce in the teachings of its faith, and are required to yield obedience to its laws and decrees. It punisnes the violators of its obligations, yet it has no physical power; all its forces are moral agents. To be declared unworthy of membership by the Brotherhood is the heaviest punishment that the Order inflicts—the greatest degradation that an Odd Fellow can suffer.

3121. In bringing men of opposite opinion, of dissenting creeds and clashing prejudices to the standard of common humanity, to the recognition of an Universal Brotherhood, Odd Fellowship attempts no impossibilities. Believing the result to be attainable within certain restrictions, it employs means that are philosophical in their conception and simple in their application. The unity of the Brotherhood contemplated in our Order is not that uniformity and sameness of mind and sentiment when aggregated that have been the day dreams of many, against which nature records her million-voiced protest and the human mind instinctively recoils, but that sublime harmony that springs from diversity, where each differing element, with its peculiar power, contributes to produce a single effect, every individual striving to ameliorate the ills to which humanity is subject. The theory or system that fails to recognize the dissimilitude of opinions, or that atempts to render them uniform, but adds another sectary or special organization to those already existing, thereby creating another division in society.

3122. The Lodge has the right to fix the penalty, unless the laws of the Order prescribe the punishment; when the penalty follows as a result of the conviction, then the Lodge is bound to inflict the prescribed penalty, or be itself in contempt and subject to punishment for the offense.

3123. Where a brother has charges preferred against him for violation of the liquor law, he being a saloon-keeper, and is found guilty, the Lodge must expel him. The Noble Grand should declare the brother expelled.

3124. A member may be punished by the tribunals of our Order for an infraction of the laws of Odd Fellowship, without reference to the question of his liability to conviction under the criminal laws of the State.

3125. The vote of a Lodge fixing a penalty cannot be reconsidered at a subsequent meeting, the penalty in the meantime being enforced; the execution of the first sentence exhausts the jurisdiction of the Lodge.

3126. A member once expelled is out of the Order, and no motion can be entertained to reconsider the vote.

PENALTY—Punishment.

3127. There is no such penalty recognized or known to the Order as a conditional expulsion. For example, to pay a fine of five dollars, and stand suspended until it is paid.

3128. All members present are required to vote upon the report of a Trial Committee and upon the degree of punishment to be imposed, except those whose interests are involved in the controversy.

3129. Where the Lodge fixes the punishment, it must not be excessive; that is, to be so out of proportion to the offense as to show the bias of the Lodge; while if the Lodge suspends the brother, it can only be temporary and for a reasonable time. That a brother charged with an offense has shown a proper penitence and has made a full restitution, should always be taken into consideration in fixing the penalty, and should operate in mitigation of the penalty that would otherwise be inflicted.

3130. When no legal charge has been preferred against the appellant—no legal notice served upon him—and he is not notified of the report of the committee, all the actions of the Lodge are void, and the penalty imposed cannot be enforced against the brother.

(b). Excessive Punishment.

3131. A brother on his admission represented his age as twenty-one years. After his initiation it was ascertained that he was still in his minority. Charges were preferred, to which he plead guilty. In view of extenuating circumstances, the Lodge reprimanded him and suspended him for six months. If a person had by guile or falsehood, willfully committed, become one of our membership, he could, upon due trial, be ejected, but if there were extenuating circumstances connected with the misrepresentation, these could be considered in measuring out the punishment.

3132. Any manifestly excessive punishment of suspension is illegal and should be set aside on appeal.

3133. And likewise any expulsion which, as a punishment, is manifestly out of proportion to the offense committed should be set aside on appeal.

3134. When the charge against a brother was for language and conduct unbecoming an Odd Fellow, the words being used in debate in the Lodge room, a judgment of expulsion was held to be excessive and was set aside by the Sovereign Grand Lodge.

3135. Any punishment of expulsion which, under the circumstances, appears to be unduly harsh and severe, and that clearly should only be a fine or suspension, will be set aside on appeal.

3136. As to the charges which are based upon the statement, in writing, by a brother, that his former counsel must have sold out, the Appeal Committee of the Sovereign Grand Lodge said that the letter, taken as an entirety, together with appellant's explanation, tends rather to disprove than substantiate the charges of wronging a brother and lying. The brother is seventy-nine years old; for more than three years he has been in controversy with his Lodge over the matter of benefits. It is in evidence that his counsel declined, at a certain stage of the proceedings, to represent him further; that thereafter the Noble Grand taunted him with the then existing fact that the Lodge was a unit against him, and that no one would represent him as counsel. He retorted that his counsel had neglected his duty and must have sold out. The words were untrue, non-fraternal and unkind. The only palliation for their utterance is his age, and the hot blood engendered by the long delay in disposing of his claim. The brother disclaims any intention of wronging the brother who was his counsel, and he is entitled to the explanation; and in any event, the penalty of expulsion is too severe for the language uttered under the circumstances.

3137. A brother accused another with entering on the records of a Trial Committee, evidence which was not given by a witness, afterwards it was explained

PENALTY—Excessive Punishment.

that the brother did not hear the testimony, and thereupon he withdrew his allegation of falsifying the record and apologized to the satisfaction of the trial committee, nevertheless, charges were brought against the brother, making this allegation, and after trial he was expelled. On appeal, it was decided that the offense was too trivial to merit the severest penalty known to our laws, and the Lodge was directed to reinstate him.

3138. It may appear that the wrong was unintentional, that the representation was made from ignorance, thoughtlessness, want of due consideration, or upon information received from others trusted by the defendant. In such cases the tribunal of investigation acts in accordance with the benign spirit of the Order when it imposes no greater punishment than one commensurate with the offense, erring, if error must be, on the side of mercy.

3139. Where a brother received money from certain members of his Lodge to pay for an emblem to be displayed at an entertainment, and retained this money for some time, but did, finally, pay for the same to the party who furnished it, charges were preferred against him. He was also charged with borrowing money and not repaying the same, but evidence showed that no fraudulent representation had been made. The brother was tried and expelled. The brother appealed, and the Sovereign Grand Lodge, in setting aside the judgment and reinstating the brother to membership, said: The brother acted improperly in the matter of making payment for the emblem procured by him for the adornment of his Lodge room, but that the penalty of expulsion inflicted by his Lodge is greatly in excess of that merited by the offense, and is not warranted by the evidence.

3140. In a certain case where it appeared that brother M objected to the installation of an ineligible brother into the position of Noble Grand, the District Deputy Grand Master listened to his objections, made a ruling that Brother C. was eligible to be installed, and attempted to proceed with the installation, but was interrupted by Brother M., who had made the objection, and who insisted on talking, and did continue to talk until he saw fit to sit down, notwithstanding he was commanded to do so one or more times by the District Deputy Grand Master, both by word of mouth and the use of the gavel, Brother M. thereby hindering the business of installation and acting in contempt of the Grand Lodge Officers. The Grand Lodge subsequently decided that Brother C. was not eligible, and ordered a new election to fill the vacancy. Charges had in the meantime been preferred against Brother M. and he was expelled. It was held that the case from the facts appears to be one in which both sides are to blame, and in several instances, if the papers are correct, the law of the Order has not been followed. The expulsion of a brother upon such specifications as are contained in the charges preferred against Brother M. is a harsh and severe sentence. At the best, the sentence should never have been greater than fine or suspension. Inasmuch as the sentence of expulsion was inflicted more than three years ago, the brother was reinstated.

3141. All suspensions should be temporary, and be regulated by the magnitude of the offense, and should be for a reasonable time only. They should never extend beyond the ordinary average of human life. A suspension for twenty-five years is not a temporary suspension, but an evasive violation of the spirit of the law under color of a technical compliance with its letter.

3142. Suspensions for cause cannot be indefinite, nor for an unreasonable length of time.

3143. In a case where the charges upon which the accused was convicted was, by the law of the land, a misdemeanor, the punishment imposed by the Lodge was ten years' suspension. By local law, a judgment of suspension could be imposed by a mere majority, while a judgment of expulsion required a two-thirds vote. Held that ten years' suspension was practically an expulsion, and that the Lodge could not by a mere majority vote practically expel a member for an alleged offense.

PENALTY—Excessive Punishment.

3144. A suspension for cause will not be approved if for a longer time than two years.

3145. Indefinite suspension, as a means of punishment, is contrary to the provisions of the general law, and therefore illegal.

3146. A penalty that the brother be required to return to the Lodge the sum of $26, received by him for sick benefits, and stand suspended until the same is done, is illegal as an indefinite suspension.

3147. Where the action of the Lodge was as follows: That the brother be suspended for six months and [return the eight dollars illegally received as benefits, and stand suspended until paid] only the part in brackets can be declared illegal and the former stands as the judgment of the Lodge.

3148. When the conclusion it reached by the "District Committee on Appeals, or the Committee on the State of the Order," in the case of an expulsion (after due trial and conviction), that the penalty inflicted is excessive, the question of penalty shall be submitted to the Grand Lodge in Annual Session for determination, only as to the question of "Excessive Punishment."

PER CAPITA TAX.

See Homes.
Reports.
See Revenue.
Grand Lodge.

3149. A Grand Lodge has the power to levy per capita taxes, payable by the Subordinate Lodges, so that it may meet deficiencies and pay current expenses.

3150. When the Constitution of a Grand Lodge provides that "the revenue of this Grand Lodge shall be raised solely for defraying the necessary expenses thereof, and shall not be appropriated to any purpose foreign to the objects of the Order," it was held that the Grand Lodge had power to assess its subordinates for purposes other than its own support. In the case in question the Grand Lodge donated to a Home a sum equal to ten cents per member for this year, and directed the Finance Committee to make proper provision for the same.

3151. The per capita tax must be paid, on all contributing members who have not been formally suspended from the Lodge, before the officers elect can be installed.

3152. If a Grand Lodge prohibits the issuance of the Annual Traveling Pass Word to a Lodge in arrears for dues, it is unlawful for such Lodge to issue an order requesting the Noble Grand of another Lodge to communicate such pass word to one of its members; nor should such order be honored by a Noble Grand who knows the circumstances.

3153. The per capita tax is not payable for the Veteran Members, whom the Lodge is carrying as non-contributing members.

3154. When the Constitution of a Grand Body provides that its revenue is derived from the sale of supplies and a per capita tax levied upon the membership of the subordinates, and that the Finance Committee shall report at each annual session an estimate of the expenses of the Grand Body for the current official year for salaries, etc., and the Grand Body at its annual session levies a tax in accordancce therewith, one-half to accompany each semi-annual report, a Lodge, although instituted during the preceding term and but sixteen or seventeen weeks prior to such annual session, is bound to pay the full per capita tax so levied.

3155. A Grand Lodge can only collect the per capita tax from a defunct Lodge to the date of its surrender.

PER CAPITA TAX.

3156. When a Lodge has been suspended, and it is afterwards decided by proper authority that its suspension was illegal, and it is reinstated, such Lodge should not be required to pay the per capita tax for the period it was under suspension.

3157. The law relieving Lodges and Encampments from the payment of per capita tax on non-contributing members is found in the resolution of the Sovereign Grand Lodge, passed at the session of 1901, Journal Page 392, and in the resolution adopted at the session of 1903, Report No. 72, Journal Page 850. There is no other class of non-beneficial members exempt from liability for the per capita tax.

3158. The amount to be paid by a Lodge for the support of Homes for Orphans of Odd Fellows, is twenty-five cents for each member on the roll at the last meeting night in March.

3159. The per capita tax is to be levied on each contributing and non-beneficial member on the roll in each Subordinate Lodge on the last meeting night in each preceding term, but no per capita tax can be charged or collected for non-contributing members.

3160. The resolution levying the present per capita tax on the membership of the last semi-annual report is legal. The Grand Lodge certainly has a right to make its own laws, and farther, this law was passed for the accommodation of the Subordinate Lodges, enabling them to forward their per capita tax and receive from the Grand Secretary the receipt in ample time to enable the District Deputy Grand Master to install officers.

3161. Refusing to pay assessments to the Grand Lodge is insubordination ,and the suspension of the Lodge by the Grand Master is a proper and adequate punishment for such acts.

3162. If a Lodge fails to pay its Orphans' Home per capita tax, or to require its members to pay its tax, such Lodge may be denied right of representation in the Grand Lodge pursuant to general law, but this right may be affected by local legislation of the Grand Lodge.

PERMISSION TO USE THE NAME OF THE ORDER.

See Application for Permission to Use the Name of the Order.

3163. This permission is always predicated upon the promise in good faith of the officers of the Subordinate Lodge that no intoxicating beverages of any kind shall be offered or be used by the members or guests present and participating in the occasion, and that the rules and regulations of the Order shall be strictly observed.

3164. That all spiritous, vinous and malt liquors shall be excluded from the Lodge room and ante-room or halls connected with or adjoining thereto, or any other place under the control of this Order in so far as it may be covered by this permission.

3165. And that neither the Lodge, nor any of the members thereof, shall, in the name of the Order, resort to any scheme of raffles, lotteries or gift enterprises, or schemes or hazard or chance of any kind, as a means to raise funds for any purpose of relief or assistance to such subordinate or to individual members.

3166. The right to use the name of the Order is a permission that can be withdrawn at any time by the Grand Master or the Grand Lodge when, it is to the interest of the Order to take such action.

PETITIONS FOR AID.

See Appeals for Aid.

PETITION—PETITIONER.

See Appeals, Charters, Institution of Lodges.

PHOTOGRAPHS.

3167. It is unlawful to take, make, keep, sell or give away, photographs of scenes in the dramatic work, of the costumes and properties in the work, or of the Degree Teams.

3168. Neither is it admissible to photograph groups of ritualistic characters, and thereby represent pictures of any portions of the ritualistic floor work of the various branches of the Order.

3169. Nor is it admissible to make such photographs, even if such pictures are to be hung in the Lodge room, and none are sold or offered for sale.

PHYSICAL DISABILITY.

3170. Physical infirmity does not necessarily mean "suffering from disease;" a member may have a physical infirmity entitling him to a pension from the government, but which does not entitle him to benefits, unless it is of such a nature as to impair his health or prevent him from earning a livelihood.

3171. A physical disability which does not impair a man's ability to follow his usual avocation, and does not affect his health of body, is not such a physical disability as will bar his admission into the Order.

3172. A physical disability which would entitle a brother to sick benefits must be such as would be a condition of unsound health.

3173. A brother who was afflicted with a partial loss of sight and is able to carry on or manage and direct a lucrative business which enables him to amply provide for the support of himself and family, is not entitled to benefits.

3174. An applicant for admission who has a physical infirmity, which does not prevent him from following his usual occupation, and who in good faith represents himself as being of sound health at the time of initiation, does not thereby subject himself to the penalty of concealing a physical infirmity at the time of his admission, even though the infirmity may subsequently grow into a beneficial condition from unsound health.

3175. A disease of the eye contracted in the Civil War, which, at the time of the brother's admission, was not disclosed to the Lodge, but which did not prevent his attending to business, which by cold was aggravated so that the loss of one eye resulted, for which the Lodge paid him benefits, and which, by further progression, finally resulted in total blindness, are not such facts as would permit the Lodge to withhold benefits on the ground that the disability was concealed at initiation, when he represented himself in sound health.

3176. Where a Lodge claimed that a brother had concealed his lung trouble at the time of his admission into the Lodge, and nine years had elapsed from the time of his initiation before a claim for benefits was made, held that in view of this fact a charge of fraud in misrepresenting the state of his health first made at so remote a date from the time of misrepresentation should be supported by evidence of the most positive and reliable character. In short, that it should be so strong as to admit of no possible doubt. The only ground for fraudulently misrepresenting his condition would be that he might draw benefits from his Lodge, not nine or ten years ahead, but at a time much less remote. And the fact that for so long a time he was able to work for his livelihood is, of itself, good evidence that his health was what would ordinarily be called good.

PHYSICIAN.

3177. A Lodge cannot, by its By-Laws, provide an independent examination by a physician of the candidate for admission. The doctor can only be employed in connection with and at the request of the Investigating Committee, who alone are charged, under the Subordinate Constitution, with the duty of investigating the health, character, and fitness of the candidate and reporting on the same.

3178. A By-Law that "if the Lodge believes the brother applying for benefits is not so sick as to be entitled to them, the question shall be referred to one or more physicians, whose decision shall be final," is legal and binding on the Lodge and the brother.

3179. A By-Law requiring that "a brother absent from the jurisdiction of his Lodge and not placed in charge of another Lodge, shall present an application for benefits and a physician's certificate every four weeks during such sickness," is legal, and failure to comply therewith relieves the Lodge from the duty to pay such benefits subsequently claimed.

3180. A Lodge in its By-Laws provides that a brother residing beyond the territorial jurisdiction of the Lodge shall furnish, within certain specified periods, doctors' certificates as to the progress and state of his disability. A member of this Lodge was taken sick in a distant State and, with the consent of his Lodge, was reported to a sister Lodge situated in the town in which he was sick; the Relief Committee of this Lodge visited the brother and paid the benefits called for by the By-Laws of his Lodge. The brother was thus brought within visiting limits; the Lodge visiting him was therefore required to give the brother the same care it gave its own sick brothers, and its reports as to his physical condition were of the same value as though made by the Relief Committee of his home Lodge. The clause as to the doctor's certificate was inoperative, unless by special instructions from time to time from the home Lodge.

3181. It is not lawful in this jurisdiction for the Subordinate Lodges to use their funds to pay a physician who shall be at the service of all the members of the Lodge.

3182. A Lodge, by its By-Laws, provided for the employment of a doctor and druggist for the benefit of its members in case of sickness. It was held that to authorize a By-Law or By-Laws for the purpose stated would require an amendment to the Constitution for Subordinate Lodges permitting the beneficial system to be extended in this particular. It follows, therefore, in that the Constitution limits the beneficial system to weekly and funeral benefits, that these By-Laws, in so far as they relate to the employment of a physician and druggist, are void and of no force or effect, because they are contrary to the general law of the Order and not in conformity to the Constitution for Subordinate Lodges.

3183. When a Lodge is applied to for relief by a brother holding a card it shall require the certificate of a respectable physician showing the time the brother has been sick.

POST OF HONOR.

3184. In all Lodge processions the post of honor is in the rear, and officers should be so arranged.

PRAYER.

3185. Prayer may be used at the opening and closing of the Lodge; provided, that when the Noble Grand appoints a Chaplain, and an objection is not sustained by a majority of the members present, there shall be no interference in the performance of his duties during the term for which he was appointed, and that the following forms be used:

PRAYER.

Opening Prayer.

3186. Almighty God, our Creator and Preserver, we invoke Thy blessing upon the members of this Lodge and our entire Brotherhood. May we be ever faithful to the principles of our beloved Order, so that benevolence and charity may be promoted. Bless the widow and orphan and all in affliction and distress, and relieve their necessities. "Our Father, Who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread. Forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation, but deliver us from evil. For Thine is the Kingdom and the Power, and the Glory, for ever. Amen."

Closing Prayer.

Almighty Father, we pray Thee to bless whatever of good we have accomplished at this time, and forgive what we have done amiss. We now commend ourselves to Thy care and protection. The Lord bless us and keep us. The Lord lift up His Fatherly countenance upon us and give us peace, now and evermore. Amen.

3187. Prayer is not part of the work at Initiation in a Subordinate Lodge, and is therefore not admissible.

3188. If Grand or Subordinate Lodges open and close with prayer, they shall use the forms prescribed by the Sovereign Grand Lodge.

3189. It is highly desirable and eminently proper, but not imperative, that all Lodges should open and close with prayer; but it is not competent to require the performance of this ceremony under the sanction of penalties. The Sovereign Grand Lodge does not recognize prayer as an integral part of the work, except in Encampments, and with the broad margin of faith admitted in the membership, a brother cannot be required to discharge a duty which requires a violation of his conscience. More injury would be inflicted upon the prosperity of the Order by imposing duties not regarded as a necessary element to membership than could possibly follow from a different construction.

3190. The members may join the Chaplain in repeating the prescribed prayers, if they choose.

PRECEDENCE.

3191. A Grand Representative, when in procession with the Sovereign Grand Lodge, takes precedence of the Grand Lodge Officers; when with his Grand Lodge, he ranks as a Grand Lodge Officer, subordinate, of course, to the Grand Master.

3192. An elective Grand Officer takes precedence of a District Deputy Grand Master.

3193. A District Deputy Grand Master is entitled to the precedence incident to his office when he is performing his duty and exercising the functions vested in him as the Representative of the Grand Master.

3194. At a funeral of a member of the Order, the Lodge takes precedence of the Encampment, unless the family request the latter to conduct the funeral, when it will take precedence.

3195. If the funeral, being that of a past or present Grand Officer, is conducted by the Grand Lodge, then it will take precedence; or if the deceased was a past or present officer of the Grand Encampment only, and it conducts the service, then it will take precedence.

3196. If at an installation, public or otherwise, any controversy arise between an elective Grand Officer and a District Deputy Grand Master as to which shall conduct such installation, the elective Grand Officer, being superior in rank, shall have precedence.

PRESUMPTION.

3197. A presumption is a supposition of the truth or real existence of something without direct or positive proof of the fact, but grounded upon circumstantial evidence which entitles it to belief; an inference as to the existence of one fact from the existence of some other fact founded upon a previous experience of their connection or dictated by the policy of the law. Presumptions may be either of fact or law, and may be rebuttable or irrebuttable. An irrebuttable presumption being an inference which the law, for reasons of policy, draws from a given state of facts, and refuses to allow evidence to countervail the inference, as for example, the presumption that no benefits are due when they are unclaimed for a given period fixed by the general or local laws of the Order or the by-laws of the Lodge.

3198. Where a brother in good health disappears for a number of years, so that his family and friends and the community believes him to be dead, his death will be presumed to have occurred at the time of his disappearance.

3199. Where benefits are unclaimed for the period stated in the Grand Lodge By-Laws, the lapse of time is sufficient to raise the presumption of payment, and this presumption cannot be rebutted.

3200. In the ordinary communications of the Secretary, sent over his signature alone, with the seal of the Lodge, he is to be presumed to be acting at the direction and command of his Lodge.

3201. By the general law of the Order, a brother under charges is to be presumed innocent until he is convicted.

3202. That a brother sick and drawing benefits is able to work so as to earn a livelihood, or a sum equal to the weekly benefits, will not be presumed. It must be made to appear by competent testimony.

PRINTING AND PUBLISHING.

See Circulars.
Processions.
Publishing.

See Elections.
Spurious Books.

3203. To print, circulate and use any forms or ceremonies of the Sovereign Grand Lodge that constitute a source of revenue to its treasury is an offense against the laws of the Order.

3204. Any member of the Order who shall compose or write, or print, or sell, or exhibit, or have in his possession, or who shall in any way aid or abet in composing, or writing, or printing, or exhibiting, or using, any publication or writing or other devise purporting to be the Unwritten Work of Odd Fellowship, or any part, abbreviation, or memorandum of such Unwritten Work shall be deemed guilty of conduct grossly unbecoming an Odd Fellow, and shall, upon conviction, be expelled from the Order.

3205. To "publish" the name of an expelled member of the Order, if the word be used in its popular acceptation, is a violation of the secrecy enjoined in respect to the dealings of the members, one with the other. But it is not a violation of law to publish in a fraternal newspaper a list of expelled members after their promulgation by a Grand Master.

3206. No member shall print, or cause to be printed or published the whole or any part of the proceedings of a Lodge improper for publication. Nor shall any brother publish any work, or deliver any public lecture, or discourse, relative to Odd Fellowship, without permission of the Grand Master.

3207. No one is authorized to publish in the public newspapers the receipts, expenditures, amount paid for relief, etc., of any Subordinate Lodge, unless the consent of the Lodge be first obtained.

3208. The Grand Lodge, Subordinate Lodges and individuals, are prohibited from printing or circulating any of the Odes, Cards, Certificates, Diplomas,

PRINTING AND PUBLISHING.

Forms or Ceremonies that constitute a source of revenue to the Sovereign Grand Lodge, I. O. O. F.

3209. It is a gross violation of law for a Lodge to print, publish, use, or have in its possession any work purporting to be the Secret Work of Odd Fellowship, except that published by the Sovereign Grand Lodge.

3210. All circulars sent out at the time of and preceding the election of Grand Lodge Officers are to be disregarded other than the legal circulars issued and signed by the Committee of Past Grands from the Lodges of the respective candidates.

PRIVATE BUSINESS MATTERS.

3211. A person on being admitted to membership in this Order thereby loses none of the rights he had in possession as a citizen. His right to protection by the civil authorities is not impaired by becoming an Odd Fellow.

3212. The laws of the land and the courts which administer them are the surest and most proper means by which justice can be obtained. There should be no attempt to adjudicate such questions of differences by any authorities within the Order.

3213. Pecuniary relations amongst brothers which are of a civil nature, and do not entail public scandal on the Order, have never been considered the subject of legislation, and ought not to be allowed to vex the brotherhood. Such matters are of a strictly private nature, and though they may, and do oftentimes cause individual trouble and personal enmity, yet they are generally of so delicate a nature that it would be unsafe, ungenerous and injurious to give them public prominence and attention.

3214. Taking the place of a brother who has been discharged for not doing as directed by the "boss" constitutes no offense of which a Lodge has jurisdiction.

PROCEEDINGS.

3215. The attention of the Lodges is specially directed to the importance of preserving the reports and proceedings of the Sovereign Grand Lodge, and of the Grand Lodge of this jurisdiction as embodying information that is valuable and indispensable to their perfect work.

3216. The published proceedings of both bodies are, in effect, an announcement of the latest laws and decisions of these bodies respectively.

PREVIOUS SICKNESS,

3217. The approval by the Grand Lodge, of the By-Laws of a Lodge, fixing how previous sickness shall be taken account of in its new system of graded benefits, is not the declaration of a general principle which would be binding on all the Lodges. Under the Constitution, each Lodge determines the question for itself, in its own By-Laws, with the proviso that if nothing be said, to the contrary thereon, the change of By-Laws shall include previous sickness.

PROCESSIONS.

See Street Uniform.
Precedence.
See Grand Marshal.
Post of Honor.

[Forms for all processions will be found in the Form Book.]

3218. All Lodges and Encampments joining in any procession, sanctioned by the Grand Lodge, shall be under the control of the Grand Master, and must act by his direction as given by the Grand Marshal.

3219. In all public processions, or other displays of the Order, no member is entitled to wear any badge of distinction or regalia which he would not be entitled to wear in a Lodge.

PROCESSIONS.

3220. The uniform street dress may be worn by Subordinate Lodges when in public procession.

3221. On all public occasions, members of the Order are strictly forbidden to wear the regalia or emblems of the Order, except while in the ranks or in the Lodge room or hall.

3222. Grand Bodies are requested to strictly prohibit all processions, etc., at which the regalia, emblems, etc., of the Order shall be used, unless permission be granted, after due consideration in open Grand Lodge, or, in its recess, be granted by dispensation of the Grand Master.

3223. All publications made in any public newspaper, calling on the Order to appear in regalia on any occasion not authorized by the Grand Lodge, is incorrect and censurable; and the unauthorized use of the name of the Order by any one is erroneous, and should be strictly forbidden.

3224. No one who has severed his connection with the Order by Withdrawal Card, Dismissal Certificate, resignation, suspension for non-payment of dues, suspension for cause or expulsion, has a right to join a procession without the consent of the Lodge by which the procession is formed.

3225. The law of 1864, prohibiting anniversaries, etc., without the consent of the Grand Master or Grand Patriarch, is not intended to prohibit Lodges and Encampments from joining in a public procession in regalia in connection with other organizations, when invited to do so by the civil authorities, and permission may be obtained from the respective jurisdictions under such regulations as they may prescribe.

PROFESSIONAL GAMBLER.

See Saloonkeeper.
Professional Gambler.
Charges.
See Bartender.
Penalty.
Qualifications for Membership.

3226. A professional gambler shall not be eligible to admission to membership in this Order.

3227. A professional gambler is a person who is the owner or proprietor of a place, in whole or in part, where gambling is permitted, or a person who engages in gambling as a means of livelihood.

3228. A man regularly engaged in a pool room, earning his living by selling tickets, acting as cashier, or performing other duties incident to carrying on the business of a pool room, is a professional gambler, and is ineligible to membership in this Order; and if he is a member when he engages in such business, he is liable to charges.

[NOTE.—This law has no relation to the game of Pool or Billiards.]

PROPOSITION FOR MEMBERSHIP.

See Applications for Membership.
Admission to Membership.
Reinstatement.
See Investigating Committee.
Readmission.
Ballot.

3229. A subordinate cannot legally call a special meeting for the purpose of receiving propositions for membership and appointing an Investigating Committee thereon.

3230. In this jurisdiction, except for transfer of membership without Card or Official Certificate, there are no applications for membership. The local law requires that a Lodge shall have a proposition book, in which the names of candidates shall be entered, and the Investigating Committee should sign the report in the proposition book. A member of the committee may authorize one of his colleagues to sign the report in his behalf. The committee cannot report on the night of its appointment.

PROPOSITION FOR MEMBERSHIP.

3231. There is no general law limiting the number of times a candidate can be proposed after rejection.

3232. The one-half of the initation fee which must accompany an application or proposition for membership, and which the Constitution calls a "deposit fee," is also sometimes called the "proposition fee." Whether a proposition fee should be turned in with the receipts of the Lodge for the evening to the Treasurer, or held by the Secretary until the applicant is elected or rejected, is a subject for local legislation.

3233. A member who has not yet received the Third Degree cannot legally propose the name of a person for membership into the Lodge, as all the business of the Lodge is transacted in the Third Degree.

PROSECUTOR.

3234. A member who prefers charges against another member of his Lodge has a right to appeal from the action of his Lodge in finding the brother not guilty.

3235. On a trial upon a charge of calling a brother a scoundrel, objection was made that the accused was denied the right to show the entire sentence, and the connection in which the objectionable words were used, and also the right to justify the language by proving the truth of the charge. On appeal, it was decided that the proof of the entire sentence used, and also of the character of the prosecutor should have been allowed.

PROTEST.

3236. A Subordinate Lodge is required to receive a respectful protest against its proceedings from any member who may feel aggrieved thereby.

3237. If a Lodge, on being instructed by the Grand Master to cease violating the laws complies, there is no law which forbids it from doing so under protest. A protest is defined to be a solemn or formal declaration (often in writing) in condemnation of an act or measure proposed or accomplished. It is evident therefore that it accomplishes nothing except to indicate objection to the act or measure proposed or accomplished.

3238. There is no law to prevent a Lodge from protesting against the instructions of a Grand Master, where the Lodge is clearly of the opinion that the instructions are wrong. While a Lodge would have no right to disregard the instructions of the Grand Master, and while it would be its duty to obey them, yet the right to respectfully protest should not and cannot be taken away.

PROXY.

See Past Grands, Elections, Installation.

3239. Neither voting, installation into office, nor service in office can be done by proxy, either in the Grand Lodge or in a Subordinate Lodge. The law requires that a member shall be actually present in the Lodge room to exercise any of the rights that ordinarily flow from membership in a deliberative body, such as voting and holding office.

3240. There cannot be any representation by proxy; the trust is personal and there is no power of substitution.

3241. The elective officers of the Grand Lodge cannot be installed by proxy.

3242. A member of a Lodge can only vote when present in the Lodge. A letter cannot stand for or represent the vote of a member, even on a proposition to surrender the charter of a Lodge.

3243. Past Grands have no right to vote by proxy for the election of Grand Lodge officers.

PUBLIC INSTALLATION.

See Form of Public Installation in Book of Forms.

3244. Grand Bodies are authorized to confer upon Subordinate Lodges the right to install their officers in public.

3245. The ceremony must be conducted by an officer of the Grand Lodge, a District Deputy Grand Master, or by a Past Grand duly authorized by the Grand Master.

3246. The form of Public Installation prescribed by the Sovereign Grand Lodge must be used.

3247. Public installations may be held in other than the regular Lodge rooms, and may be joint installations, the Lodges being legally convened.

3248. A Lodge should not "close in regular form" before a public installation, but "the ordinary ceremony being suspended," the doors are opened and the installation proceeds. After its completion the Grand Lodge officers retire, and then all but the members of the Order being excluded, the Lodge closes in form.

3249. It is legal for a Grand Lodge to hold a public installation on a stated date and install the officers of a Lodge whose regular meeting would not fall on that date. The terms of the new officers would begin on the next meeting night thereafter.

3250. If the installation takes place at a room other than the Lodge room, there is no objection to declaring a recess and then proceeding to the hall in which the ceremony is to take place, after which the Lodge should return to its Lodge room and close in form.

3251. In raising and seating a Lodge on the occasion of a public installation, it is not permissible to use the gavel as it is used at a regular Lodge meeting.

3252. If a Lodge should close before the installation, and then the Grand Master should proceed and install the officers, such installation, though irregular, would not be void, and the installed officers would be the legal officers of the Lodge.

3253. The Subordinate Lodges in this jurisdiction are permitted to have public installations of their officers; when, in the judgment of the Grand Master, such public installation would be proper, he shall grant permission to the lodge making application for the same.

3254. The ceremonies shall be conducted by the Grand Master, or other elective Grand Lodge Officer, or by a Past Grand, who shall appear before the Grand Master or Board of Grand Lodge Officers and give satisfactory evidence, by a thorough examination, that he is fully qualified and competent to conduct such ceremonies.

3255. The Sovereign Grand Lodge has authorized public installations, and the Grand Master is authorized to grant dispensations to Lodges who desire public installation only where he is satisfied as to the qualifications of the deputy, and provided that the work shall be done without the use of books.

3256. A Lodge, to have a public installation, must make application by resolution, a copy of which must be forwarded to the Grand Master, signed by the Noble Grand and Secretary, with seal of Lodge.

3257. The letter of application must state the place where it is proposed to hold the public installation, the name of the District Deputy Grand Master or Past Grand who will conduct the same, his acceptance and reference to his fitness or ability. Should a Past Grand be selected it must be with the appointment and approval of the District Deputy Grand Master of the district in which the Lodge belongs.

PUBLIC INSTALLATION.

3258. The installing officer must satisfy the Grand Master, either in person or by satisfactory evidence of disinterested brethren of the Order, that he has the necessary qualifications, and that the work shall be done without books.

3259. The installing officer must satisfy the Grand Master that those of his staff are equally qualified to perform their part of the work without the use of books.

3260. Public installation must be in accordance with the ceremony for this purpose, as it appears in the book of forms authorized by the Sovereign Grand Lodge, and not from the Ritual. Care must be taken not to divulge, either by word or action, any of the secret work.

PUBLISHING.

See Printing and Publishing.

PUBLIC OFFICER.

3261. A brother who was a school director voted against another brother who belonged to the same Lodge, who applied for the position of school teacher, and commented somewhat severely upon his abilities. For this action, charges were preferred against him in the Lodge, and the brother was expelled. It was decided, on appeal, that acts done by a brother in the exercise of his functions as a public officer and citizen are no offense recognized by the I. O. O. F.

QUALIFICATIONS FOR MEMBERSHIP.

(a). In the Order.
See Atheist.
Residence.
Non-Resident.

(b). In the Grand Lodge.
See Jurisdiction.
Degrees.

(a). In the Order.

3262. To the Sovereign Grand Lodge alone belongs the power to fix the qualifications for membership in the Order.

3263. Within the limitations fixed by the qualifications of the general law, admission to membership in the Order is determined by ballot in the Subordinate Lodge in which the applicant desires membership. But the Grand Lodge has the authority to determine, in the Subordinate Constitution, how many black balls are required to reject; provided, there is no conflict with the secret work, which is the paramount law.

3264. Residence is an elementary qualification for membership. A candidate, to be lawfully admitted, must be a resident of the State, and of the territorial jurisdiction of the Lodge, or comply with the regulations whereby these regulations may be evaded. An individual can only have one legal residence, and where such residence is under a foreign power, a temporary residence within the jurisdiction of the Soveriegn Grand Lodge can confer no new rights.

3265. No person shall be entitled to admission to the Order except free white males of good moral character, who have arrived at the age of twenty-one years, and who believe in a Supreme Being, the Creator and Preserver of the Universe.

3266. A Syrian born in Damascus, Asia, is eligible to membership in an Odd Fellows' Lodge. The words "white man" in our Constitution are synonymous with Caucasian. Syrians belong to the Caucasian, or white race.

QUALIFICATIONS FOR MEMBERSHIP—In the Order.

3267. The term "free white males" in the Sovereign Grand Lodge Constitution is descriptive of the pure white Caucasian race, and excludes all other races and colors from membership in our Order.

3268. An Odd Fellow, a member in a jurisdiction which, under the amendment of 1901, permitted the admission of persons of mixed Indian and white blood, is not entitled to admission to membership in another jurisdiction where such person is not permitted to join if he has mixed Indian and white blood in his veins, even though he should become a citizen of such jurisdiction.

3269. No peculiar views which do not affect the belief of the person asking admission into the Order "in a Supreme Being, the Creator and Preserver of the Universe," can disqualify him for membership; neither can these views be allowed to interfere with the privilege of members in respect to propositions for admission.

3270. Neither the totally deaf, dumb, nor blind can be initiated into the Order. It is not expedient to initiate into the Order any person deprived of the sense of sight or hearing, or the powers of speech.

3271. One whose physical deformities prevents a compliance with the requirements and laws of the Order, cannot be admitted to membership by initiation.

3272. The question as to what partial deformity does not disqualify, rests especially with the Subordinate Lodge, to which admission is asked.

3273. A person can legally be admitted a member by initiation who stutters so badly that he cannot talk before a crowd, but can talk with persons he is acquainted with.

3274. The applicant, in addition to the other qualifications required by law, must reside in the territorial jurisdiction of the Lodge, which he proposes to join, or have complied with the necessary requirements and conditions by which a person residing in the territorial jurisdiction of another Lodge, or in another State, district or territory, may be permitted to join the Lodge of his own choice.

3275. The fact of a Lodge holding a bond and mortgage against an applicant for initiation and membership, does not operate as a bar to his election and admission to membrship.

3276. No saloon-keeper, bartender or professional gambler shall be eligible to membership in this Order.

(b). In the Grand Lodge.

3277. To the Soverign Grand Lodge alone belongs the power to fix the qualifications for membership in the Grand Lodge.

3278. To be admitted to membership in the Grand Lodge one must be a Past Grand in good standing in a subordinate lodge in good standing in this jurisdiction.

3279. The only qualification necessary for a Past Grand to be a candidate for representative is that he be a member of the Grand Lodge. He shall be a member in good standing of his lodge, which is in good standing which in this jurisdiction is construed to mean, having the proper certificate showing that he is entitled to the honors of a Past Grand.

3280. The Grand Lodge has no right to examine a Past Grand in the subordinate degrees who presents a proper certificate from his lodge, to the Grand Lodge.

3281. The Grand Lodge cannot charge an entrance fee, for admission to membership in the Grand Lodge as it is one of the priviliges of a Past Grand acquired by his service in office in his Subordinate Lodge.

QUARANTINE.

3282. A brother is not entitled to benefits by reason of being placed in quarantine by the government authorities on account of sickness of a contagious character in his family, he not being sick himself.

3283. When a by-law provides for benefits in case a brother is sick "or unable to pursue any occupation," and a brother was placed in quarantine on account of sickness of a contagious character in his family and consequently compelled to close his business. He was not entitled to benefits.

3284. A lodge is bound to respect the regulations of a lawful quarantine, and suspend its meetings when directed to do so by the public authorities.

3285. The officers of a Lodge where meetings are forbidden by government quarantine for the major part of a term, are entitled to the honors of office, if they are present at the meetings permitted during the term.

QUESTIONS.*

See **Decisions, Mandate, Grand Master, Appeals.**

3286. As a rule a Subordinate Lodge has the jurisdiction to decide any question that can properly come before it, but it has no right to decide any question in reference to the Work of the Order written or unwritten.

3287. When the Noble Grand makes a decision upon the meaning of the Constitution or By-Laws an appeal therefrom to the Lodge is allowable, and the Vice Grand must put the question as to whether it will sustain the decision of the Noble Grand. If his decision is reversed it is his duty to notify the Lodge of his appeal, and submit the question to the Grand Master. If the Noble Grand is sustained by the Lodge any member may appeal and have the question submitted to the Grand Master.

3288. The Noble Grand cannot escape his responsibilities by vacating the chair as he is specially charged with the duty of enforcing the constitution and by-laws not only of his Lodge and of the Grand Lodge of Pennsylvania, but the general and local law of the Order as well.

3289. The Lodge may at any time by motion or resolution direct its Secretary to submit to the Grand Master in writing a question for his decision in order that the Lodge may be informed concerning the proper action to be taken by it or as to his opinion of the right of the Lodge in any matter. But the Lodge has no authority to ask advice or counsel from any other quarter than the Grand Master in recess, or the Grand Lodge by which it is governed.

3290. In the event of a Lodge making a decision, and afterwards, by a vote, referring the same to the proper authority for review, the decision stands until reversed.

3291. The Grand Master must answer the questions as propounded to him whether they come as an appeal from the Noble Grand, or on an appeal by a member of the Lodge in good standing where the subject is one of general interest to the Lodge or to the Order, or by any member of the Lodge whose interests have been affected directly by the action of the Lodge, or the questions are submitted by the Lodge. He has no right to refer the appellant or the Lodge to the Grand Lodge or to the Grand Sire for its or his decision. The question, if by a member, must be submitted to the Grand Master in the form required for Appeals, See Section 207, and in no event must the question relate to or be the subject at issue in a proceeding under the Trial Procedure for charges or benefits.

3292. No Lodge has a right to present questions of law directly to the Grand Sire for his decision. All such questions must be submitted to the Grand Master.

* [NOTE - Questions are to be submitted to the Grand Master or the Grand Lodge, in accordance with the regulations prescribed under the head Appeals.]

QUESTIONS.

3293. The Grand Master cannot decide or pass upon questions growing out of Appeals for Benefits, or Trial for Charges. When the controversy reaches this stage, the Grand Master can only obtain jurisdiction in the course of the Appeal procedure, therefore if dissatisfied with result of the trial, the only way is for the party to appeal in the way laid down in the law for these cases.

3294. The decision rendered by the Grand Master is binding on the Lodge until reversed by the Grand Lodge unless it is in direct conflict with the laws and constitution of the Sovereign Grand Lodge. Of which fact, however the Grand Master would also be the legal judge as between him and the Lodge.

3295. Where a question presented by the Grand Master involves not only questions of law but also questions of fact concerning the payment of benefits or charges, the Grand Master has no jurisdiction except in the manner pointed out by law in such cases, and he should advise the Lodge that these matters can only be determined by the mode of procedure as regulated by the laws of the Order.

3296. Irregularities arising out of the violation of law can only be healed by the authority competent to pass the law. If the law violated was a general law, the Sovereign Grand Body alone is such competent authority, but that interpretation can only be reached through the regular channels. The question being submitted to the Grand Master, he may obtain the Grand Sire's decision thereon which will be binding on the jurisdiction until reversed by the Sovereign Grand Lodge.

3297. When a construction or interpretation of local law is required by any individual member or subordinate the State Grand Lodge having jurisdiction or the Grand Master thereof during recess, is the proper tribunal to pronounce on the question subject to appeal from the Grand Lodge to the Sovereign Grand Lodge and from the Grand Master to the Grand Lodge.

QUORUM.

See Meetings. *See* Degrees. *See* Adjourn.

3298. If there be no quorum present at the time of holding a stated meeting, the Secretary shall make a record of the fact, and note upon the minutes the names of the officers and members present, and report the same at the next stated meeting of the Lodge, so that if the By-Laws impose a fine upon officers for being absent, the same may be imposed.

3299. The fact that no quorum of members appears so that a meeting may be held does not warrant a Secretary leaving the lodge room. It is his duty to remain so that the members who appear may pay their dues and thus be protected from going in arrears.

3300. If without a quorum being present the lodge grant a withdrawal card, it works no severance of membership, and the card may be returned.

3301. A person was regularly proposed and elected a member by initiation and a special meeting was called to initiate him, when only four members of the lodge attended, who with assistance of members of other lodges initiated him. He was thereby made a full member of the Initiatory Degree, but the Lodge violated the law and is liable to discipline for conferring the degree with less than a quorum of its members present.

3302. The By-Laws of a Lodge prescribed that "not less than five members entitled to vote shall constitute a quorum, but with that number only present no appropriation of money shall be made except by unanimous vote," "Every member shall have a right to vote on any question in which he has no personal interest." Held, that at a meeting at which only five members are present it requires a unanimous vote to appropriate the funds of the Lodge, and that no member who is benefited by a proposed appropriation is entitled to vote thereon.

QUORUM.

3303. It is the duty of every member of a Lodge to assist, by his presence at least, in transacting its business; he has no right, by a voluntary and capricious act on his part, to interrupt Lodge business, or bring its business to a stand still. A Noble Grand has the right and authority, in such an emergency as will leave the Lodge without a sufficient number to transact business, to decline to recognize the brother which is equivalent to denying members permission to retire.

3304. Where a Lodge, during a meeting, is left without a quorum, it can do no further business, and the Noble Grand must declare it closed without ceremony, but not however until the cases of the sick and distressed have been disposed of.

3305. If at a session of the Grand Lodge no quorum appear within one half hour, the Grand Master or the presiding officer may adjourn the meeting from time to time until a quorum shall appear.

3306. An officer is not deprived of the honors of office by reason of the fact that one or more Lodge meetings of his term were not held for want of a quorum; provided, he serves a majority of the meeting nights of his term and remains in office until the end of his term.

RANK.

See Honors of Office. Patriarchs Militant. *See* Eligibility to Office. Evidence.

3307. Rank in the Order comes primarily from the receipt of degrees in the Subordinate Lodge, after that by service in office. Rank refers to the highest grade or title attained.

3308. Rank in the Lodge by reason of service in office vests the brother who has attained it with no additional rights so far as the general business of the Lodge is concerned. The Third Degree is the highest Degree in a Subordinate Lodge, and one of that degree is not only the peer of any other member so far as general Lodge business is concerned, but he is eligible to any office in the Lodge, except that of Noble Grand or Vice Grand.

3309. All members of the Order who have heretofore received the First and Second Degrees under the old work shall be entitled to rank as members of the First Degree of the revised work. All members who have received the Third and Fourth Degrees of the old work shall be entitled to rank as members of the Second Degree of the revised work, and all members who have received the Fifth Degree of the old work shall be entitled to rank as members of the Third Degree of the revised work without charge.

3310. A Third Degree member under the old work, ranks as a member of the First Degree of the revised work and is entitled to wear the regalia of that degree.

3311. Rank cannot be conferred by resolution or any legislative action, or by dispensation, it follows only from the possession of the requisite degrees or satisfactory service in office.

3312. It is legal to provide that only those members who attain the rank of the Scarlet or Third Degree shall be entitled to benefits, and for the members who acquired membership under the old work, it would be legal to grade the benefits according to the degrees taken.

3313. A brother is entitled to wear regalia indicative of his highest rank in the Order, whether he be attending Lodge or Encampment, and to be designated in the journals thereof in like manner. A member is entitled to wear the regalia designating the highest rank to which he has attained, except that when temporarily or permanently, performing the functions of any office, in a Subordinate or Grand Lodge he must be clothed in the regalia appropriate to these functions.

3314. It is a member's right to receive the title and be addressed according to the highest rank he has attained in the Order.

RANK.

3315. In issuing a Visiting Card or Official Certificate or Withdrawal Card it is mandatory to insert thereon the highest rank the brother has attained whether in Subordinate or Grand Lodge or Subordinate or Grand Encampment or Sovereign Grand Lodge.

3316. In the designation in writing or printing of the name and rank of a brother, the title or rank of the brother shall be placed after instead of before the name as has hitherto been practiced. In conversation, the title naturally precedes the name.

3317. The rank of an Ancient Odd Fellow in the lodge in which he may be admitted will be determined by the Lodge upon the report of the committee appointed to make the necessary examination. The brother will be entitled to such rank as he can satisfy the Lodge he has previously attained.

READMISSION TO MEMBERSHIP.

See **Non-Affiliated Odd Fellows.** *See* **Admission to Membership.**

3318. Technically speaking, any non-affiliated Odd Fellow (and by this is meant, not only aged non-affiliated Odd Fellows, but all those of any age, who for any reason have become non-affiliated), or any member holding a Withdrawal Card in date, who applies for and is elected to membership in a Subordinate Lodge, is readmitted to the Order. Hence we find the term used as comprehending any member of the Order who is elected to membership in a Lodge, excepting those who transfer their membership thereto whether they were formerly strangers to the Lodge or are former members who thereby regain membership therein. If there be any distinction, as some seem to claim, it is unimportant as all non-affiliated members, and those holding Withdrawal Cards in date, are admitted or readmitted to Lodge membership in exactly the same manner.

3319. It is not competent for a Lodge to insert in its By-Laws, a provision that a member who may draw a final card shall have the privilege of depositing the same in said Lodge within a specified time by a simple vote of the lodge instead of a ballot vote, as in the case of initiating members. The laws of the Order clearly provide the way in which a person may regain membership upon card, and a Lodge granting a final card has no more power to depart from that way, when the person holding that card seeks to reunite with said Lodge than upon the application of a stranger.

3320. A brother applied for a Withdrawal Card and the Lodge by vote granted his request, but the card was not given to him. The brother wished to become a member of the Lodge again. The Lodge cannot legally take him back without application, investigation and balloting on his application the same as for a stranger. A Withdrawal Card having been voted to him the brother's membership in the Lodge ceased and he has a legal right to the card. The Lodge has no right to retain his card and should deliver it to him as soon as possible after having voted in favor of granting it to the brother. If he desires to renew his membership he can deposit the card in the usual mode.

3321. A provision in a constitution for Subordinate Lodges "that an applicant for membership by deposit of card should be declared elected upon the favorable vote of a majority, if the card deposited was issued by the Lodge in which it was deposited,"is in violation of law.

3322. The question was asked, is the law intended to apply to a case wherein a member may draw his final card for the declared purpose of establishing a new Lodge, and after having organized the new Lodge and taken a Withdrawal Card from it, he offers the card for deposit in his own Lodge within a specified time from the date of his withdrawal therefrom? Held that the decision of the Grand Sire above referred to is in accordance with the general principle that in no case can a Lodge adopt a By-Law for the admission of members by deposit of card in any different way from that pointed out by the

READMISSION TO MEMBERSHIP.

general law—viz., by an application referred to a committee, and ballot as in case of an original application for membership. The law referred to, therefore does apply to the case mentioned in the inquiry.

3323. When ten members presented their Withdrawal Cards to the Grand Officers and received a dispensation creating a new Lodge in the name of the ten, and but seven were present when the Lodge was instituted. Held that although the dispensation authorizes and empowers the ten to constitute a lodge yet its membership is composed only of those who pursuant to that authority appear and assume before the instituting officer the obligations required by our laws. Therefore the absentees can only gain admittance by withdrawing their cards from the hands of the Grand Officers and applying in the usual mode for admission to membership by card.

3324. A brother withdrawing from his Lodge for the purpose of establishing (with others) a new lodge and failing to appear when the lodge is instituted cannot be considered as one of the charter members. If he wishes to join that or any other Lodge his card must be presented regularly and he must be balloted for according to law.

3325. A Lodge is not bound to readmit a holder of a card to membership, the Lodge to which application is made is by law the judge of his fitness for readmission.

3326. A brother having taken his Withdrawal Card, and then offered the same for readmission to membership, the Lodge has under the law the right to refuse his application to be again received as a member or to decline to annul the Card of Withdrawal.

3327. To constitute a member in good standing, it is requisite as an essential that he shall be a contributing member, which presupposes he shall be in active membership, a condition not contemplated in a quasi-membership. That a member applying for a Withdrawal Card for whatsoever purpose does by the act manifest a desire to relinquish his membership in the Order, that although the member may have taken his Withdrawal Card for the specific purpose of an immediate deposit into the hands of the Grand Master with a view to application for a charter for a new Lodge, yet during its transition he has ceased to be a contributing member, and is not restored to that condition until the charter has been granted and the Lodge instituted, at which time he must be present. With great propriety a distinction could be made in cases where a Withdrawal Card is obtained and especially intended to be used only for the purpose of application for a charter for the institution of a new Lodge. Here whilst the brother voluntarily relinquishes his position of membership, it is to accomplish a purpose for the advancement of the Order attainable through no other channel, but the Sovereign Grand Lodge has refused the legislation.

3328. It is illegal for the Grand Lodge to provide that "when a member withdraws his card for the express purpose of instituting a new Lodge, he can return his card and hold his former standing in said Lodge without the least loss, and this is the only case where he can return without regular form of deposit of card; and if he remains in the new Lodge an unreasonable time, the contract is violated on his part, and he cannot be readmitted to his former standing without the consent of the Lodge," as it is at variance with the By-Laws of the Sovereign Grand Lodge, which provide that no person shall at the same time hold membership in more than one Grand or Subordinate Body.

3329. A member of a Lodge applied for a Withdrawal Card for the express purpose of establishing a new Lodge. The Lodge was instituted. The brother applied to the new Lodge for a Withdrawal Card, which was granted. He then came to his original Body and deposited his card, which was accepted without being balloted for by, or fee being paid to his old Lodge. All this took place within a few weeks of the first application. The brother paid dues and was taken sick. It was held that not having come back by deposit of card, petition and the paying of the fee prescribed by the laws, he had not legally been readmitted to membership in his old Lodge, and was therefore not entitled to benefits.

REAL ESTATE.

See Halls.
Appropriations.
Funds.

See Dedication.
Trustees.
Special Five Per Cent Fund.

3330. A Lodge has the right to invest its funds in productive real estate, where the security is ample and the rentals yield a reasonable interest on the investment.

3331. The net revenue derived from real estate should be placed in the general fund and can only be donated or used for legitimate expenditures of the Order.

3332. The right to purchase real estate is particularly applicable to those cases where a Lodge desires to own its own hall, and it is therefore legal by complying with the general law concerning halls, to make this investment, either by separate ownership, or jointly with some other society, or it may buy stock in an Odd Fellows' hall.

3333. A Lodge cannot by resolution, by-law or otherwise divert its funds from the uses of the Order as regulated by general law. If the laws of the jurisdiction and the by-laws of the particular Lodge do not prohibit, a Lodge may without a by-law appropriate from its general fund for the purposes contemplated by the general law. This rule applies to funds arising from the rental of Lodge property. But even where such rentals are kept separate as a distinct fund for such special purposes, such fund can be used only for such purposes as are provided for by the general law, and the Lodge cannot exercise the latitude in expending the same as is allowed in expending the special five per cent. fund created from the receipt of dues.

3334. Where a Lodge owns a two-story building, the first floor being used as a public hall, the monies received for rent of the lower hall are Lodge funds, and can not legally be used for any other purpose, the building having been put up with the funds of the Lodge. As the building was erected with Lodge funds, it is a Lodge investment, and any return from that investment can only be used in accordance with the laws of the Order, and cannot be separated and used for any other purpose.

3335. The Order believes in a Lodge owning its own property, but under no circumstances should they be permitted to rent or lease said property owned by them for saloon purposes.

3336. A Lodge shall not lease any part of its Lodge property, or property in its control, directly or indirectly to any person or persons to be used as a saloon or place to dispense intoxicants and beverages to be drunk there and then on the premises.

3337. A Lodge may for any lawful purpose dispose of real estate owned by it without obtaining the permission of the Grand Lodge.

3338. A Lodge desiring to raise money for legitimate purposes can mortgage by or through its Trustees holding the legal titles, its real estate to secure the lender, without first obtaining the consent of the Grand Lodge.

3339. The Grand Lodge has such a reversionary interest in the real estate of any Lodge that upon its dissolution, the title immediately rests in the Grand Lodge, and it can invoke legal remedies in the civil courts to protect its right.

RECESS.

See Meetings. *See* Entering and Retiring.

3340. There is no general law giving a Lodge the right to have a recess; the practice, however, not having been interdicted, custom and usage sanction it, under certain necessary restrictions.

3341. When in recess, and an application is made for admission, the Lodge should come to order, the officers assume their respective stations,

RECESS.

and the brother work his way in in regular form. In the event of members retiring, the same mode of procedure should be observed.

3342. If, however, a brother should without proper formality gain admittance to the Lodge room during a recess, he should be required to retire and work his way in, according to law, when the Lodge resumes its regular session.

RECONSIDERATION.

(a). Of Ballot. (b). Of Legislation and Trials.

See Elections. Trials. *See* Voting. Ballot.

(a). Of Ballot.

3343. As a general rule, it may be stated that unless there is some express permission to do so conferred by law, a ballot once declared cannot be reconsidered.

3344. A Noble Grand who may make a mistake in announcing the result of a ballot, and immediately afterwards perceives the error, has a right to correct it at the time, and before the ballot box has been put aside.

3345. There can be no reballot where it has been declared favorable, except in cases of unworthiness or of error or fraud.

3346. By the general law a Grand Lodge is authorized to adopt a law permitting its subordinates to immediately take a ballot for candidates for membership where black balls appear, in order to verify the fact that black balls may not have been cast by error (this has never been authorized in this jurisdiction). And by the general law a Grand Lodge has also the right to provide that where one black ball appears in ballotting for a candidate, one or more additional ballots shall be taken (this has never been authorized in this jurisdiction).

3347. When, upon a ballot, the number of black balls required by the law to reject are cast, the applicant shall be declared to be rejected; and it is not lawful for the application to be referred for further investigation and a new ballot at some future meeting. By the local law a Lodge cannot lawfully provide for a second or third ballot on a given number of black balls being cast on a preceding ballot.

3348. A Grand Body has no power to authorize its Grand Lodge Officers to grant dispensations to reballot in case of a rejected application for membership.

3349. Where all the brothers who have cast black balls against an applicant for membership, voluntarily make a motion for a reconsideration of the ballot, the same may be reconsidered; and in such case the vote on the reconsideration shall be taken by ball ballot, and if all the balls cast be in favor of it, the reconsideration shall be had; whereupon the application shall lie over until the succeeding stated meeting, when another ballot shall be had, with ball ballots, and if the same be unanimously in favor of the applicant, he shall thereby be elected; but if one or more black balls appear, in either ballot, the applicant shall be rejected; and in no case shall a reconsideration be had, except upon the voluntary motion of all those who cast the black balls; and never more than one motion for a reconsideration in the same case shall be allowed. And provided, always, that such reconsideration shall be had within four meeting nights next succeeding the rejection.

3350. If a person has been irregularly elected through fraud or error a majority of the Lodge can, previous to his initiation, order a new ballot.

3351. In case illegal ballots are cast for membership in a Subordinate Lodge (such illegality being that the brothers voting upon such application

were disqualified by the By-Laws), such ballot cannot be declared void by the presiding officer alone, but may be by a majority of the Lodge previous to initiation. The ordering of a new ballot necessarily involves the abrogation of the former ballot.

3352. After the Noble Grand had declared a candidate elected, the Vice Grand claimed he was mistaken, and that there were three black balls cast. The ballot having been destroyed, the Noble Grand, without objection, ordered a new ballot, when the candidate was rejected. Held that under the circumstances the Lodge must be presumed to have consented to the new ballot and that such new ballot was legal.

3353. In all cases where a candidate for membership in a Subordinate Lodge has been elected, but subsequent to his election and prior to his initiation, the Lodge shall become satisfied that he is unworthy, it shall be competent for the Lodge to annul such election and declare it void by a two-thirds majority of the members present.

3354. When a ballot has been declared null and void, the proposition, report of the committee and the action of the Lodge receiving such report and ordering a ballot, would be before the Lodge, and nothing would remain to be done except to ballot anew.

3355. A Lodge cannot legally reconsider a ballot for membership at a special meeting, even with the consent of the Grand Master.

3356. It is not legal to ballot to reconsider an application for membership even if called for that purpose, at a special meeting in the absence of any provision for such special meetings by the Grand Lodge.

3357. When a ballot has elected an officer, the vote cannot be reconsidered; it comes under the rule that a ballot declared cannot be reconsidered.

(b). Of Legislation and Trial.

3358. Action taken by a Grand Body at one session can be reconsidered at the subsequent session.

3359. A Grand Lodge can reconsider a ruling of the Grand Master made at the previous session of such Grand Body.

3360. The decision of the Committee on the State of the Order approved by the Grand Master on the appeal by a brother expelled from the Order, confirming the expulsion and entered on the Journal of the Grand Lodge, is a final and conclusive disposition of the controversy, as is likewise the action of the Grand Lodge, where it hears and determines the appeal at its own session, no appeal being taken to the Sovereign Grand Lodge, the Grand Lodge cannot at a subsequent session reopen the case and again hear and determine it.

3361. A motion to table a motion to reconsider is out of order.

3362. After the passage of a resolution by a Grand Lodge, acquitting a brother who had been expelled by his Subordinate Lodge, it is competent for such Grand Lodge at the same session to reconsider such vote and pass a resolution affirming the decision of the Lodge.

3363. In like manner, in a similar case where an appeal is taken to the Sovereign Grand Lodge, which appeal is sustained, and the Grand Lodge directed to restore the applicant to membership, the Sovereign Grand Lodge cannot at a subsequent session reopen and again consider the case.

3364. The following point of order was made, namely: That the Grand Lodge cannot at this session reconsider an appeal case disposed of at a previous session. That the only course remaining to the Lodge is to ask the privilege to appeal to the Sovereign Grand Lodge at the session when the matter was disposed of or at the next subsequent session. The Grand Master ruled the point of order to be not well taken where the accused was punished by suspension,

RECONSIDERATION—Of Legislation and Trial.

and it appears that the Lodge had no notice of the appeal having been taken by the brother from the judgment of the Appeal Committee sustaining the Lodge.

3365. A Lodge expelled, or tried to expel, a brother for contempt. The brother appealed to the Grand Lodge, and his appeal was referred to the Judiciary Committee of the Grand Lodge. The appellant's contention was upheld by the committee. From this decision the Lodge appealed to the Grand Lodge. This was in 1899, when the Grand Lodge met, the Lodge, through its attorney, withdrew the appeal, and nothing more was heard of it until 1902, being a few days less than three years after said appeal had been withdrawn, when a resolution was introduced by the representative of the Lodge, asking the Grand Lodge to proceed with the trial of the case, which had been so withdrawn three years before. The resolution was referred to the Judiciary Committee, who, in an able and comprehensive report, denied the right of the Lodge to bring the matter before the Grand Lodge. From the decision of the committee an appeal was taken to the Grand Lodge, which refused the appeal and sustained the Judiciary Committee. From the decision of the Grand Lodge, the Lodge appealed to the Sovereign Grand Lodge. Held that a reversal of the opinion given by the Grand Lodge would establish a precedent for continuous and never-ending litigation and appeals and make it impossible for Grand Bodies and members or Lodges to adjudicate differences or have them settled.

3366. A brother claimed from his Lodge certain benefits which the Lodge refused to pay. He appealed to the Grand Lodge, where the action of the Lodge was sustained. He took a further appeal to the Sovereign Grand Lodge, where, in 1878, the action of the Grand Lodge was sustained. Three years later he memorialized the Sovereign Grand Lodge to reopen the decision of 1878, retry the case and render a decision in his favor. In the opinion prepared by the Judiciary and Appeal Committee and adoption by the Sovereign Grand Lodge, it is said: "This cannot be done in this case. The decision, by the adjournment of the Sovereign Grand Lodge, became a final, conclusive, and binding judgment in favor of the Lodge, which this Sovereign Body at no subsequent session could set aside or annul except in a case of gross fraud or mistake, which the appellant used due diligence and took the proper steps to have corrected. Without passing upon the merits of this case, without saying whether the decision of the Grand Lodge was right or wrong, and without determining whether the memorialist obtained such a record as he was entitled to from the Grand Lodge, this application comes too late. For full three years the appellant has had full knowledge of all frauds or mistakes, of which he could take advantage, if there were any, and thus by his laches has lost his right to attack or reopen that decision. That decision is now *res judicata* as to the specific benefits it relieved the Lodge from paying to the appellant. It is a vested right of that Lodge, which this Sovereign Grand Lodge cannot now disturb upon such a case as made by the memorialist. The decision of this Sovereign Grand Lodge, now opening and reversing the decision of 1878, would furnish an authority and precedent for the Lodge three years later, to file its memorial and have reopened the decision rendered at this session of the Sovereign Grand Lodge, thus indefinitely extending the time for contests and controversies between Subordinate Lodges and their members.

3367. In 1854 a brother made a claim to his Lodge for funeral benefits on account of the death of his wife. Payment was refused. In January, 1858, three and one-half years later, he presented a claim for sick benefits. Payment was refused on the ground that he was in arrears, and therefore not entitled to benefits. He answered that the Lodge was indebted to him in the sum of fifteen dollars for funeral benefits and therefore he was not in arrears. If the Lodge was indebted to him for funeral benefits, as claimed, he was not in arrears, and therefore was entitled to the benefits. The Lodge appointed a special committee and it reported against the claim,

on the ground that the Lodge was not indebted for funeral benefits; that claimant was in arrears, and therefore not beneficial, and this report was adopted by the Lodge. On appeal, this action was held to be a mere reiteration of the action of more than three years before. An appeal was taken to the Grand Lodge, and the Grand Lodge, while inclined to hold that the claimant was entitled to the funeral benefits of his wife, disallowed the appeal, on the ground that it was taken too late. The By-Laws of the Jurisdiction of Pennsylvania required appeals to be taken within three months of the date of the action appealed from. In 1860, the brother having deceased, his widow memorialized the Grand Lodge to review and overrule the decision of 1858, and to require the Lodge to pay her the funeral benefits of her husband's first wife, with sick benefits claimed to have been due her husband, and for funeral benefits, amounting to $185. Three separate resolutions were passed by the Grand Lodge, directing the Lodge to make these three several payments. From this action of the Grand Lodge the Lodge appealed to the Sovereign Grand Lodge. In passing upon the resolutions directing the payment of the funeral benefits of the first wife and the sick benefits, the Sovereign Grand Lodge said: "The general law cannot recognize the right of a brother to sleep upon a claim which he may have, or suppose himself to have, for three and one-half years, and deal with the Lodge all the time by payments made by him to his Lodge, as if no such claim existed, or was supposed to exist, as was the fact in this case, and then come in and revive the claim thus long before denied by his Lodge, and abandoned or ignored by himself—for if allowed after three years, it may be after ten or twenty years. Any such ruling as would establish this right would, in the opinion of the committee, practically nullify all provisions designed to limit controversy and unsettle all the business and jeopardize the interests of every Subordinate Lodge and Encampment in the Order."

3368. A member of a Lodge died February 17, 1856. May 12, 1856, his widow applied for funeral benefits. Payment was denied. January 25, 1858, the claim was renewed. Payment was again denied. August, 1861, an appeal was taken by "Widow Glenn" to the Grand Lodge, which appeal was sustained and the Lodge ordered to make payment. From this action the Lodge appealed to the Sovereign Grand Lodge, on the ground that the appeal to the Grand Lodge was not taken within the time allowed by the By-Laws. Appeals were required to be taken within twelve months, whereas the appeal was not taken until after the lapse of two and one-half years. In the opinion sustaining the appeal and reversing the action of the Grand Lodge, the Sovereign Grand Lodge said: "Your committee cannot recognize the right of the Grand Lodge to disregard its own By-Laws as in this case. To do so would be to open the doors to all latent claims, thereby involving Lodges and Encampments in difficulties and probable ruin."

3369. In 1885, the Sovereign Grand Lodge, having under consideration a memorial from a Grand Lodge, seeking to "Reopen the case" of Abraham Driesbaugh vs. the Grand Lodge, determined at the session of 1884, and "award a new trial on its merits," reasserted the doctrine above stated, saying: "The principle enunciated by this Grand Lodge in 1881 is that the decision by the adjournment of the Sovereign Grand Lodge became a final, conclusive and binding judgment which this Sovereign Body at no subsequent session could set aside or annul, except in a case of gross fraud or mistake, in which the appellant used due diligence and took the proper steps to have corrected." This rule rests upon the most firmly settled principles of law and justice and is the only rule by which all courts are compelled to protect themselves and parties from endless litigation.

3370. By parliamentary law no motion can be reconsidered but once. If the motion is made and indefinitely postponed and the rules of the Lodge provide that indefinite postponement cannot be reconsidered, that ends the power of the Lodge to reconsider.

RECONSIDERATION—Of Legislation and Trial.

3371. An election of officers cannot be reconsidered if the election is illegal from any cause; it must be declared void by the Lodge in the manner prescribed by law before a new election can be held.

3372. A brother elected by a Lodge as representative to the Grand Lodge or to any office in the Lodge on the meeting night fixed for elections, is the representative or officer, as the case may be, and although a reconsideration of the vote may be taken at a subsequent meeting and another brother elected, the one elected on the designated or regular election night is the representative or officer.

3373. The business of a regular stated meeting cannot be reconsidered at a special meeting unless particularly called for that purpose.

3374. A motion to reconsider must be made on that or the next succeeding stated meeting after the action has been had, except in the case of a rejected candidate.

3375. The power to reconsider does not apply to a case of expulsion by a secret ballot, but to the ordinary parliamentary questions arising in deliberative bodies.

3376. A member once expelled is out of the Order and no motion made to reconsider that vote can be entertained. He must comply with the laws of the Order, which provide the mode and manner in which expelled members may be reinstated.

3377. A By-Law providing for the reconsideration of motions does not apply to a case of expulsion by secret ballot; it only applies to ordinary parliamentary questions. A member once expelled is out of the Order, and no By-Law can be made by a Lodge to nullify the general law which prohibits a reconsideration of the ballot.

3378. A Lodge having in a trial for charges found the brother guilty and imposed a penalty, cannot at a subsequent meeting, because of irregularity in voting, or for any cause, vote to reconsider. The Lodge is estopped from reopening the case as its jurisdiction is exhausted, even if the proceedings were irregular it cannot take advantage of its own wrong.

3379. A Lodge having imposed a penalty of fine and suspension, cannot at a subsequent meeting reconsider the motion and expel the brother.

3380. A Subordinate by vote adopted an amendment to a By-Law, and at the next meeting a motion was made to reconsider the vote, the By-Laws provided that no amendment to the By-Laws should be made unless written notice thereof should be given at the regular meeting previous to its being acted upon. There was also a rule of order that no motion for a reconsideration should be received unless made within two meetings after taking the motion on any question. Held that there was no conflict in these provisions of law. Until the expiration for the time for a reconsideration under the rules of order, legislation on the subject was not concluded, and the Subordinate still has control of it. The reconsideration of the vote was not equivalent to an amendment to the By-Law.

3381. Where a proposed amendment to the constitution of the Sovereign Grand Lodge was indefinitely postponed, and immediately thereafter a motion to reconsider was made. Held that the motion to reconsider was in order, taking precedence of all other motions.

3382. The vote by which a Withdrawal Card was authorized cannot be reconsidered.

3383. It is not necessary or proper to reconsider a vote granting a Withdrawal Card in order to arraign the brother to whom such card may have been given; because the card having been voted the membership of the brother ceases, and he has a legal right to the card, which if he desires to renew his membership, he can deposit in the usual mode; or if it shall have been inadvertently granted to an unworthy brother, the Lodge may annul it, taking care to allow to the brother implicated a fair and impartial trial, as in the case of suspended members, against whom charges are preferred.

REDUCED BENEFITS.

3384. After benefits have accrued, a Lodge cannot by its action reduce the amount. The reduction can only apply to benefits for weeks that are yet to come.

3385. A Lodge may provide that after a sick member has received a full year's benefits, the weekly benefits for such member may be reduced to one dollar.

3386. Lodges may make By-Laws providing that after members shall have received, or shall thereafter receive, a specified amount of benefits, the benefits shall be reduced. They may also provide that after a brother has been sick and in the receipt of benefits for a specified time, his benefits shall be reduced to another specified amount of weekly benefits.

3387. The inclusion of previous sickness as a means of determining the reduction of future benefits, is not a violation of the principle that a By-Law shall not be retroactive so as to affect vested rights.

3388. It is not questioned (for the Constitution so provides) that after a brother has drawn benefits for a certain length of time, to be fixed by the By-Laws, his benefits may be reduced. Under this provision of the Constitution it has been decided that the sickness need not be in consecutive weeks, and that a By-Law providing that after fifty-two weeks' sickness in any period of five years, the benefits shall be reduced, is valid.

3389. A By-Law providing that where a brother has received benefits amounting in the aggregate to $600, he shall thereafter receive only two dollars per week, is illegal.

3390. The By-Laws can provide so that the weeks sickness which shall operate to reduce the amount of benefits need not be consecutive weeks. The Lodge can provide for reduction in chronic cases, where there are intervals between constantly recurring periods of sickness.

3391. A Lodge may enact a By-Law like the following: "Should a brother be reported sick or disabled, suffering with the same sickness or disability for which he had received weekly benefits within a period of forty weeks after having been declared well and off the care of the Lodge, such sickness or disability shall be considered as a continuation of the previous sickness or disability, and weekly benefits shall be paid commencing with the first week at the same rate per week following the last week's benefits paid for the previous sickness or disability."

3392. By the General Law if a brother is taken off the sick list, and he and the Lodge believe him to be well, and, nearly four months later, his illness recurs from the same cause, he should again draw benefits at the full rate fixed by the By-Laws, unless the By-Laws of the Lodge provide that the sickness of a Brother to bring him within the terms of the plan of reduced benefits, need not be continuous.

3393. It is proper to adopt a By-Law providing for the payment of $5 per week, as benefits for ten weeks, and $2 per week thereafter.

3394. A claim for balance of weekly benefits, fifteen weeks at $3, less $15 paid on account, leaving balance still due of $30, which the Lodge declined to pay, for the reason that the brother was only entitled to benefits at the rate of $1 per week. From the evidence it appears that the benefits were reduced by a resolution of the Lodge. Held the brother was entitled to benefits for the full amount claimed, as benefits cannot be reduced by a resolution of the Lodge. If the Lodge desires to reduce its benefits it must be done by a By-Law in conformity with the laws of the Order. The Lodge cannot reduce the benefits or suspend a By-Law by resolution.

3395. A brother is reported sick with inflammatory rheumatism in August, 1902, and is reported off the sick list on January 28, 1903. He is reported sick with muscular rheumatism on December 2, 1903. The Lodge paid him for twenty-three weeks at $5 and $3 per week for the sickness from

REDUCED BENEFITS.

August, 1902, to January, 1903. In the absence of a By-Law declaring otherwise the Lodge cannot begin to pay him benefits for the second sickness at the reduced rate he was receiving when he was taken off the sick list on January 28, 1903; or, in other words, call it a case of continuous sickness or disease. It is two distinct cases of sickness, and the benefits must begin again at the highest rate, the same as if the brother had never been on the sick list before.

3396. A Lodge adopted a By-Law to pay benefits as follows: Three dollars per week for the first thirteen weeks, $2 per week for the next thirty-nine weeks, and $1 per week thereafter should the sickness or disability continue. The Lodge has been paying a brother benefits at the rate of $2 per week as provided for by the old By-Laws. Should the Lodge continue to pay him $2 per week, or should they pay $1 per week to the brother? The Lodge should pay the brother at the rate of $1 per week during the continuance of the sickness or disability; provided he has already drawn fifty-two weeks' sick benefits under the old By-Law.

3397. Under a By-Law which reads as follows: Members drawing fifty-two weeks in five consecutive years shall thereafter be entitled to $2 per week. A brother taken sick, say, in 1906 who drew benefits in 1902, 1903 and 1904, would not be within the terms of this By-Law.

REFRESHMENTS.

See Application to Use Name of Order.
Permission to Use Name of Order.
Intoxicating Liquors.
Liquors.
See Appropriations.
Halls.
Special Five Per Cent Fund.

3398. No Lodge shall hold any anniversary or other celebration, ball or party, where the regalia of the Order may be worn or the name of the Order assumed, without the consent of the Grand Master being first obtained in writing, such permission to be predicated only upon the direct promise of the officers of the Lodge seeking the permission that no intoxicating beverages of any kind shall be offered by them to the members or guests present on the occasion.

3399. All spiritous, vinous and malt liquors shall be excluded from the Lodge rooms and ante-rooms or halls connected with or adjoining thereto, under the control of any Lodge of this Order; but edibles and refreshments of all kinds other than those named may be so served, if for any legitimate purpose.

REGALIA.

See Jewels.
Rank.
See Meetings.
Entering and Retiring.

3400. Strictly speaking, the word regalia, from the Latin, *regalia*, royal things, signifies the ornaments of a king or queen, and is applied to the paraphernalia used at a coronation, such as a crown, scepter, cross, mound, &c. But in modern times it has been employed to signify almost any kind of ornaments and has come to comprehend the decorations or insignia of an officer or order. An insignia being the badges or distinguishing marks of an office, rank or order. Hence in Odd Fellowship regalia means the symbolic clothing of an Odd Fellow which by the legislation of the Sovereign Grand Lodge has been abbreviated into the time honored collar, so that when we speak of Regalia, we more strictly mean the prescribed clothing which is suitable to a brother's rank and station in the Order, and therefore we properly say that a brother is clothed in his regalia.

One of the uses of our Regalia is to teach us to beware how we judge men by mere appearance. The regalia is full of precious memories and solemn teachings. The light shed on its meaning as we advance in Odd Fellowship and its novel application to impress on our minds important principles and precepts renders it peculiarly pleasing and highly useful. The thoughtful Odd Fellow is continually reminded by it of important duties to God

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and man. The regalia also assists in marking grades and stations in the Order. It is not only an uniform, but the very colors are made to teach important lessons and duties. The regalia of the Order is in every detail fixed and determined by the Sovereign Grand Lodge, and neither the Grand Lodge nor a Subordinate Lodge can adopt or use or suffer to be adopted or used in this jurisdiction any other regalia than those prescribed by the Sovereign Grand Lodge.

3401. The regalia of the Order shall be as follows, to wit: Collars of Subordinate Lodges shall be white trimmed with the emblematic colors of the degree intended to be represented, namely: First Degree, Pink; Second Degree, Blue; Third Degree, Scarlet; Initiatory Degree, a plain white collar. Rosettes of the appropriate color may be worn upon the collar.

3402. The Noble Grand, Secretary and Treasurer, shall each wear a Scarlet collar, trimmed with white or silver; the Vice Grand, a Blue collar trimmed in like manner; Supporters of the Noble Grand and Vice Grand, shall wear sashes of the color of those offices respectively. Warden and Conductor, Black sashes; Scene Supporters, White sashes; Chaplain, White sash; Outside Guardian, Scarlet sash; Inside Guardian, Scarlet sash. The position of each officer shall be indicated by the jewel of the office.

3403. A brother is entitled to wear regalia indicative of his highest rank in the Order, whether he is attending Lodge or Encampment, and to be designated in the minutes or journals thereof in like manner.

3404. A brother is not only entitled to but should wear the regalia designating his highest rank to which he has attained in the Order. But a brother who is an officer of his Subordinate Lodge cannot lawfully wear his official regalia in the Rebekah Lodge or Encampment of which he is a member. The regalia of a Noble Grand, Vice Grand or other officer of a Lodge should be worn by the person lawfully occupying the office or chair at the time being. The regalia of an officer is not one that should be worn by him, except when performing some duty of his office.

3405. An officer of a Subordinate Lodge must be clothed in his regalia, wear the jewel of his office, and occupy his chair or station, to participate in the business of the Lodge. He cannot at this time wear the regalia of any other rank he has attained in the Order, even though it be higher than that required for the office he is filling. When performing the functions of an office he must wear the regalia appropriate to that office.

3406. Any brother occupying either permanently or temporarily a station in a Lodge should wear the regalia of the office he thus occupies. Thus if a Past Grand occupies the Vice Grand's chair he should wear the Blue regalia of that office exactly, as a Vice Grand when acting as Noble Grand should wear the scarlet regalia of that chair. The same rule applies to the other offices.

3407. If any brother occupying a station in the Lodge is not properly clothed in regalia, the attention of the Noble Grand, or the Lodge, should be called thereto, and objection made to the brother's right to act while improperly clothed.

3408. Any brother occupying, either permanently or temporarily, a chair shall wear the regalia and jewel of the office he thus occupies. Officers shall wear the jewels of their office in the Lodge.

3409. Officers of a Lodge cannot lawfully wear jewels in lieu of regalia, either in their work or in the third degree.

3410. No brother is entitled to enter or leave the Lodge room unless clothed in regalia. If an officer desires to enter and his regalia be in his chair in the Lodge room, he must enter in a Scarlet regalia and there exchange it for his official regalia.

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3411. All brothers while in the Lodge room should be clothed in regalia indicative of their rank and station in the Lodge.

3412. A member cannot vote or take part in the business of a Lodge unless he is in proper regalia.

3413. Past Grands wear Scarlet collars or sashes. The collars or sashes of Past Grands may be trimmed with silver, lace or fringe; and those having attained the Royal Purple degree may have trimming of yellow metal. All members of Subordinate Lodges may wear rosettes displaying the colors of the degrees they have taken.

3414. A Lodge is bound to recognize and give a Past Grand's regalia to one who is admitted by card, certifying that he is a Past Grand, if he has not the Past Grand degree.

3415. Past Grands are compelled by law to wear Past Grand's collars when entering the Lodge room or when sitting in the Lodge. Every member must be clothed in the regalia of the highest rank he has attained.

3416. A Past Grand cannot properly enter the Lodge room with a Third Degree collar on, and remain during the session of the Lodge with it on, when the Lodge is open in the Third Degree, there being plenty of Past Grand's collars that he could get. All brothers, while in the Lodge room, should be clothed in the regalia indicative of their rank and station in the Lodge, therefore a Past Grand should wear a Past Grand's collar.

3417. The regalia of a Past Grand who is also a Past Chief Patriarch may in lieu of any other regalia to which he may be entitled, be a Scarlet collar trimmed with white, the collar not to be more than five and one-half inches wide, with a row of purple two inches wide, trimmed with yellow, the collar to be united in front with three links. The above described regalia may be worn by a brother who has passed the chairs in a Lodge and in an Encampment, in any Grand or Subordinate Lodge, or any Grand or Subordinate Encampment. The collar may be of scarlet velvet, with white metal trimmings, and the roll of purple velvet, with yellow metal trimmings.

3418. The use of collars as regalia in the Subordinate Lodge constitutes a distinctive feature of the Order that must be preserved.

3419. Regalia at the funeral of a deceased brother: A black crepe rosette, having a centre of the color of the highest degree to which the wearer may have attained, to be worn on the left breast; above it a sprig of evergreen, and below (if the wearer be an elective or past officer) the jewel or jewels which as such he may be entitled to wear.

3420. It is not necessary to be clothed at the same time in the Initiatory regalia or in the costumes of the degree work, and also in the working regalia of a Lodge.

3421. While the regalia may, by permission of the Grand Master, be worn in public, nevertheless the Initiatory or Degree paraphernalia cannot be worn in public or in parade.

3422. Officers of a Lodge wearing the paraphernalia of such as members of a Degree Staff while conferring the degrees, need not wear at the same time the regalia or jewels of such officers.

3423. Officers, past officers and members of Grand Lodges, wear the regalia of Past Grands.

3424. At sessions of Grand Bodies, in lieu of any regalia hereinbefore described, a ribbon may be worn of the color of the highest degree the member has attained, having attached thereto any jewel which he is entitled or required to wear as provided by law.

3425. By the fair meaning of the law, it is left optional with the members to append the jewel or not; with or without the jewel, the ribbon will be sufficient. It is the ribbon, and not the jewel, which is the substitute

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for the regalia. The reference to a jewel was intended to apply solely to Grand Officers who, when they wear a ribbon, must attach the jewel of office.

3426. A Grand Lodge having enacted that the collar is the proper regalia to be worn by Odd Fellows when in session, and that the wearing of any other insignia or badge is or will be a departure from the old well-established customs. A brother being called to order for appearing in said Grand Lodge wearing a ribbon, appealed to the Sovereign Grand Lodge. Held that the legislation of the Sovereign Grand Lodge leaves it optional with the members of Grand Lodges, as to whether they will wear the said ribbon, or continue to wear the old and time honored collar, and that the Sovereign Grand Lodge did not, nor did it intend to, give this option to State Grand Bodies, so as to enable them to prescribe the regalia to be worn by their members.

3427. Grand Representatives and Past Grand Representatives shall be entitled to wear medals, with the coat of arms of the State represented.

3428. The Grand Master when visiting as such in his own jurisdiction, should wear the regalia and jewel of his office; at other times he may wear a Past Grand's regalia.

3429. The Royal Purple Degree members may wear rosettes of black, yellow and purple on the collar, either in conjunction with other colors or as a separate rosette.

3430. Past Officers of every description, and members in possession of the Encampment degrees, and all other members of the Order, when visiting Grand or Subordinate Lodges, and when attending the meetings of the Lodges of which they are members, are entitled to wear the regalia and jewels pertaining to the highest degrees which they may have taken.

3431. An Encampment member has the right to wear the Encampment regalia in a Subordinate Lodge.

3432. It is not the duty of Encampment members to wear such regalia and jewels, but they may do so at their option.

3433. An Encampment member can wear his Encampment regalia when sitting in his own Lodge, unless he is a Lodge officer, in which case he must wear the regalia of his office.

3434. A member of a Subordinate Lodge who has been suspended by his Encampment for non-payment of dues or for any cause, or who has withdrawn from his Encampment or lost his membership therein in any other way, has no right to wear the Encampment regalia in his Subordinate Lodge or in any other Odd Fellow organization under or created by the authority of the Sovereign Grand Lodge. A Past Grand thus situated has not the right to wear the combined regalia of the Order nor any trimmings of yellow metal or other yellow material in any Lodge of any kind.

3435. If a Subordinate Lodge has permission to march in public procession in regalia, Encampment members of such Lodge have the right to wear their Encampment regalia in such Lodge procession.

3436. The Patriarchs Militant Uniform is denominated a regalia, and, as such, can be worn by chevaliers when visiting Lodges and Encampments of the Order.

3437. While the Patriarch Militant uniform is a regalia, and, as such, can be worn by chevaliers when visiting Lodges and Encampments of the Order, nevertheless it cannot legally be worn when visiting as an installing officer. The acting Grand Lodge officers must be clothed in the regalia of the officers whose functions they are temporarily performing.

3438. A member of the Patriarchs Militant has no right to wear his uniform while installing the officers of a Subordinate Lodge, either in connection with a Past Grand's regalia or without it. Being the representative of the Grand Master, he must wear the regalia representing that office, and that alone. The Grand Master and his Deputy are, so to speak, civil officers, and

when performing the functions of that office should be clothed in regalia appropriate to those functions. The Sovereign Grand Lodge resolved "that the Patriarchs Militant uniform be, and is, hereby denominated a regalia, and as such can be worn by chevaliers when visiting Lodges and Encampments of our Order." The design of this resolution was simply to enable chevaliers to make social visits to Subordinates in their uniform, and not to authorize them to wear it when performing duties as officers, either Grand or Subordinate. It was simply to facilitate purely social intercourse. It has always been the settled rule that a brother occupying an office, even temporarily, must be clothed in the regalia of that office, and allowing chevaliers to wear their uniform, in whole or in part, with another regalia, at the pleasure of the wearer, would be to destroy all uniformity and all appropriateness. In a Lodge room the form and color of the officers' regalia are significant, and to some extent symbolical of the duties and rank of the officers. The intrusion of the Patriarchs Militant uniform into the chairs of officers of Subordinates would destroy all this, and would give to Subordinates a motley appearance, unique and perhaps ridiculous.

3439. When a chevalier as such, visits a Subordinate, he must be clothed in full uniform; either the "full dress" or "undress" will answer the law. A part will not. The law says he can wear the uniform, not a part of it. As well (before the abolition of the apron) might a brother have entered a Lodge with a collar and no apron, or with an apron and no collar, but it will not be pretended for a moment that this could have been done. The interests of the Order will be best subserved by keeping these two regalias entirely distinct.

3440. A chevalier visiting, as such, a Lodge, Encampment or Rebekah Lodge, must be in full uniform, either fatigue or full dress, and need not wear regalia therewith; but while so clothed he cannot occupy any chair or do the work of any officer of the body visited.

3441. A chevalier in uniform, otherwise qualified, cannot assume or take any of the chairs of office in a Subordinate Lodge without first changing his uniform (denominated as regalia by the Sovereign Grand Lodge) for the stipulated regalia of the office taken or assumed.

3442. A chevalier in uniform cannot occupy the chair nor do the work of an officer in a Subordinate Lodge, nor can the uniform be used as the regalia of a degree staff in conferring any part of the degrees in a Lodge.

3443. A District Deputy Grand Master cannot be recognized as such when he visits a Subordinate Lodge in his district officially if dressed in the Patriarchs Militant regalia uniform. He should wear the regalia appropriate to and specified for the office he holds.

3444. In all cases where a candidate enters the Lodge room to receive a degree, he should appear without regalia.

3445. It is not lawful for Odd Fellows to enact a drama on the stage in public, in uniform or in the regalia or paraphernalia of the Order, though the drama be founded upon the principles of Odd Fellowship and designed to illustrate charity.

3446. The law requires that officers shall wear jewels, and it is not a compliance therewith to have them wrought in the regalia.

3447. Lodges have no authority to appear in public procession, public meetings, or public places, wearing regalia without having first obtained the permission of the Grand Master, or by resolution of the Grand Lodge.

3448. The law does not prohibit attendance at church, or other public place in regalia merely to listen to a sermon or lecture and return directly to the Lodge room.

3449. A Lodge has no right to assess its members to purchase regalia.

REINSTATEMENT.

(a). Of a Lodge. (b). Of Suspended Member.

(a). Of a Lodge.

3450. The Grand Lodge may in its discretion rehabilitate a Lodge suspended by the Grand Master for insubordination, or the action of the Grand Lodge suspending or expelling a Lodge may be reversed on appeal to the Sovereign Grand Lodge, and the Grand Lodge may be directed to reinstate the Lodge.

3451. Where a Grand Master has suspended a Lodge he has the power to reinstate it without waiting for the action of the Grand Lodge upon the charges preferred, or the charges may be withdrawn.

3452. When a Lodge is suspended or expelled, its functions cease not merely as to certain purpose, but all purposes. When the disability is removed, then the Lodge starts again into the exercises of its various functions; and the rights of the several members to the offices they held, when the disability was imposed, revive with its removal, and they should proceed at once with their respective duties as though there had been no interruption.

3453. When the disabilities are removed, for which a Subordinate Lodge is suspended and said Lodge resumes the exercise of its various functions, the officers and members occupy the same status they did before the suspension.

3454. When a Lodge is reinstated, those persons who were in office at the time of the suspension or expulsion should resume their several offices without regard to the duration of the time intervening between the date of such suspension or expulsion and the reinstatement. The period of its suspension or expulsion is a blank in its existence, and whatsoever is done in such an interval by the persons claiming to be a Lodge, is without authority and in contempt of law, and must be regarded as not merely voidable but utterly void.

3455. After a Lodge has been suspended by a Grand Master and such suspension approved and the charter reclaimed by the Grand Lodge, the restoration of the charter by another Grand Master to a portion of the membership of the Lodge and their institution as a Lodge, excluding certain members, of the original Lodge is void. Such Lodge should be treated as if it had never existed; and if the Lodge continues to act as a Lodge the members should be proceeded against for violating the laws of the Order. But as the Lodge had been working under a charter, although improperly bestowed, the persons initiated during such time should be included as a part of the membership when the Lodge is again reorganized under the mandate of the Sovereign Grand Lodge as of the date of its original suspension.

3456. On the reinstatement of a Lodge, if it is not possible to obtain the original charter, in order to carry out the decree of the Sovereign Grand Lodge, the Grand Master should issue a dispensation or duplicate charter, suspending or annuling by proclamation the old charter. The proclamation of a Grand Master, in accordance with the mandate of the Sovereign Grand Lodge, reinstating all members of a suspended Lodge at a certain date, restores such members fully to membership and to the office therein with all the rights held and exercised by them at the time of the original suspension or expulsion of said Lodge.

(b). Of Suspended Members.

(a). For Non-payment of Dues. (b). For Cause.

(a). For Non-Payment of Dues.

3457. A study of the question brings out the fact that as the Order grew older the severity of its legislation upon the question of restoring suspended members to membership and the transfer of membership gradually relaxed, and the unfavorable legislation that dominated its earlier years was super-

seded by milder and more liberal laws, so that to-day it is more possible to regain and retain our membership, the Sovereign Grand Lodge recognizing that it was better to hold and win back old members than to permit them, through unfavorable legislation, to drop out; in other words, that it was better to retain the members we had than to let them go and have to seek new ones.

3458. Whereas, the question of reinstatement of members who have been suspended for non-payment of dues is one that is of great importance, and as each jurisdiction is better informed of the wants and demands of its members in regard to the subject, and greater satisfaction can be attained through having this matter placed under the control of the several local Grand Lodges; therefore, be it

Resolved, that the question of the reinstatement of members who have been suspended for the non-payment of dues be relegated to, and placed under the control of, the several local Grand Lodges.

Resolved, that all laws in conflict therewith be and are hereby repealed.

3459. The question was asked does the adoption of the above resolution repeal the general law on the subject, or does the resolution refer only to methods and not to fees?

Decision—The adoption of the resolution repeals the general law in so far as it conflicts therewith.

The resolution is comprehensive and remits the whole subject of reinstatement of members to local Grand Lodges, and puts no limitation on the control which may be given the matter by Grand Lodges. The general law upon the subject is of force, except where Grand Lodges in pursuance of the authority conferred by the resolution have assumed control and otherwise provided.

3460. But one of two courses is open for persons to regain admission into the Order who have lost connection therewith by neglect or disuse. It is to apply to the Lodge with which they were formerly connected for reinstatement or for a dismissal certificate.

3461. A brother cannot be reinstated at a special meeting.

3462. A brother cannot be reinstated without application, reference, investigation, and report as in other cases.

3463. If a Lodge fixes its initiation fee at a less sum than is fixed for yearly dues, it cannot reinstate a member dropped for non-payment of dues within a year for a less sum than the amount of one year's dues, and a member who has been suspended for non-payment of dues for more than a year, cannot be charged for reinstatement more than is charged an initiate of the same age. Although it may charge less if its local law so provides. In computing the years dues if the By-Laws of the Lodge require the payment of funeral dues or assessment on the death of a member, or a member's wife, all such dues paid within the year of suspension should be paid by the applicant for reinstatement.

3464. When a brother applies for reinstatement after suspension for non-payment of dues and is rejected, the money paid by him in his application must be returned to him, notwithstanding his indebtedness on the books of the Lodge.

3465. The payment of a reinstatement fee need not precede the ballot. But after a favorable ballot, the payment of the fee is necessary to consumate the reinstatement.

3466. If the By-Laws of the Lodge require the payment of funeral dues or assessment on the death of a member or a member's wife, all such dues paid within the year of suspension should be paid by the applicant for reinstatement.

3467. The only legal mode by which suspended or expelled members can be restored to membership in the Order, in this jurisdiction is by being rein-

REINSTATEMENT—Of Suspended Members—For Non-Payment of Dues.

stated in the Lodge from which they were suspended or expelled. A suspended member may be received upon a Dismissal Certificate granted by the Lodge to which he formerly belonged.

3468. A brother, over fifty years of age, who is under suspension for non-payment of dues, is eligible for reinstatement to beneficial membership, if the Grand Lodge of the jurisdiction has not legislated to the contrary.

3469. The enactment by the Grand Lodge of the permission that appears in the Subordinate Constitution relating to the admission to a Lodge of non-beneficial members, is not such legislation as to render a brother over fifty years of age ineligible to reinstatement as a beneficial member.

3470. When a member who has been suspended for non-payment of dues applies for restoration and fails to pay the reinstatement fee for six stated Lodge meetings after having been elected, unless prevented by sickness or some other unavoidable occurrence, all action upon his application shall be deemed null and void, and he must renew his application if he wishes to be reinstated.

3471. Many of the Lodges in Pennsylvania are pursuing a course which meets the approval of the Grand Lodge. A brother found to be heavily in arrears is approached with the view of renewing his membership, and it is suggested to him that by the payment of one year's dues he may be rehabilitated. He accepts and fills out a formal application to the Lodge for the privilege, a Committee on Investigation is appointed, a report is made, and a ballot is had; if the ballot is favorable the request is granted. Such a course is a substantial compliance with the law, and certainly carries with it a cancellation of so much of the old debt as is not covered by the payment of the year's dues. This is based upon the well-known principle that one may do directly what he may do indirectly, hence the actual suspension of the member is not a vital part of the proceedings before reinstatement.

3472. An unfavorable report of the committee upon an application for reinstatement of a suspended member is not a rejection; it will require a majority of the ballot to sustain the report of the Committee.

3473. A brother who has been suspended for non-payment of dues in a Lodge, which has since his suspension surrendered its charter, may apply to the Grand Secretary for a Dismissal Certificate, for which the fee in no case shall exceed the amount charged for one year's dues.

3474. A member suspended for non-payment of dues, upon beng reinstated, becomes beneficial upon compliance with the By-Laws of the Lodge in relation to the payment of arrearage and dues, at the time fixed by the By-Laws. It is not necessary for a reinstated member to sign the Constitution again.

3475. When a member is reinstated to membership, he does not again sign the Constitution, as his reinstatement places him in the same position he was previous to severing his membership. The Financial Secretary commences to charge his dues from the date he was reinstated.

3476. It is not necessary for a brother upon being reinstated to be present. The brother having paid his arrearages, the Lodge having taken favorable action on his reinstatement, places him in the same position he was before his suspension.

3477. A brother was reinstated to membership in his Lodge. Soon after he had a fall upon the ice which disabled him, and at the expiration of six months after his reinstatement he applied for benefits, which were refused because according to the Constitution, "until the Constitution is signed no brother shall be beneficial." The Lodge was directed to pay the benefits claimed, for the reason that it is not necessary for a reinstated member to sign the Constitution.

REINSTATEMENT—Of Suspended Members—For Non-Payment of Dues.

3478. A Lodge had a By-Law as follows: "A member owing one year's dues or over, upon the payment of one year's dues at one and the same time, shall be placed in good standing," was approved by the Committee on By-Laws of the Grand Lodge. This By-Law was subsequently submitted to the Grand Master for examination, and he decided as follows: "If a member is suspended for non-payment of dues and is then reinstated, no question can be raised as to the cancellation of his indebtedness. Why, therefore, should there be any question about such cancellation, If the same result is obtained in a more direct method? There can be none, if the substantial requirements of the law are rigidly adhered to. Here, it seems to me, is the real fault of the By-Law in question, and where it has always been contrary to law and of no force and effect, namely, that it provides a new method for reinstatement and utterly ignores the vital requirements of the Subordinate Constitution,—viz., an application by the brother, an investigation, and the ballot. The By-Law, on the contrary, places it in the brother's power to go around that part of the law by the payment of one year's dues at one and the same time,' and thereupon the By-Law states he 'shall be placed in good standing.' The By-Law never was good, and it should not have been approved by the Committee on By-Laws.

(b). Suspended for Cause.

3479. The suspension of a member is intended only as a temporary punishment, to be regulated by the magnitude of the offense; it does not sever his connection with the Order entirely, and the moment the term fixed for the duration of the punishment expires, and upon payment of all arrearages for dues ipso facto, and without any vote or action of his Lodge, the member returns to the full enjoyment of his position in the Lodge without form. Every Lodge holds its members undergoing punishment responsible for dues and unworthy conduct during such disability.

3480. A brother suspended for a definite period for non-payment of dues when the time expires is placed precisely in the same position in which he was previous to his suspension, with the additional amount of dues accruing during his suspension, and he may thereby become liable to suspension for non-payment of dues.

3481. If upon appeal to a Grand Lodge, by a member of a Subordinate Lodge, charged with violating a known law of the Order, the decision of his Lodge be reversed, he is reinstated without the consent of his Subordinate Lodge. In such case, if the reversal has been by the Sovereign Grand Lodge, the position of the brother in the Order during the time between the adjournment of the session of the Sovereign Grand Lodge at which the appeal was sustained and the time the Subordinate Lodge receives official notice from the Grand Lodge to restore the brother to membership, is that he still stands expelled until official notice reaches his Lodge from the Grand Lodge, and then he should of course be restored to all his rights.

3482. Whenever a Lodge desires to reinstate a member who is under suspension for cause, prior to the termination of the period of suspension, the Lodge shall apply to the Grand Master for, and he may grant, a dispensation to reinstate the brother and remit the unexpired time of suspension.

3483. The Grand Lodge has the authority to authorize the Subordinate Lodges in the jurisdiction where members are suspended for cause to remit such portion of their accumulated and unpaid dues as it may determine upon reinstatement of such brothers.

REJECTED.

3484. When a candidate for membership has been rejected the Secretary shall forthwith notify the Grand Secretary thereof.

3485. A law requiring Lodges to notify the Grand Secretary of rejections and expulsions includes also rejections of applicants upon Visiting Cards and Withdrawal Cards, Official Certificates and Dismissal Certificates.

REJECTED.

3486. There is no general law of the Order limiting the number of times a candidate can be proposed after rejection; it is a matter of local law.

3487. A rejected candidate cannot be again proposed for membership until six months after said rejection.

3488. If a candidate is blackballed by a Lodge that had no legal right to receive and act upon the application, the candidate, being ignorant of the fact, need not wait six months before applying for membership in a proper Lodge, and such Lodge has a right to receive and act upon his application, the former action being illegal and void.

3489. When a candidate has been proposed in a Lodge without his knowledge, either expressed or implied, and is rejected, he is not debarred from making application to any Lodge within six months.

3490. An applicant for initiation, who has been blackballed in some other jurisdiction, cannot be admitted to membership in this jurisdiction until after six months has elapsed.

3491. If an application for membership in a Subordinate Lodge, by deposit of card, be made and rejected it must be returned to the applicant. The card is the rightful property of the brother by whom it is deposited, and unless accepted by the Lodge should as a matter of course be returned to its owner.

3492. A Card of Withdrawal is the absolute property of the holder and is evidence of his former good membership, and when he offers to deposit it and thus gain admission into the Lodge, if rejected the Lodge has no right to mutilate the card by endorsing "rejected" thereon. Neither the Lodge or a member has the right to place any extra writing on the edge of a Visiting Card or Withdrawal Card setting forth facts not provided for in the regular form of the card, except that on a Visiting Card any writing may be endorsed that may be necessary to set forth the right of the holder as to benefits under the laws of the Lodge issuing the card.

3493. The law requiring the return of the deposit fee, applies as well to moneys deposited with the Lodge by a suspended member in his application for reinstatement. It makes no difference as to how much he may be indebted on the books of the Lodge.

3494. A candidate by card, rejected three weeks before, again applied for membership. The committee reported, he was elected and admitted all on the same evening. This was held a flagrant violation of law, for which it would be proper for the Grand Lodge to punish the Lodge.

3495. A Lodge which, contrary to law, initiates a person who has been rejected by a Lodge nearest his residence, knowing of such rejection, is guilty of a wilful violation of law and is liable to such penalty as the Grand Lodge may deem adequate to the offense.

RELAPSES.

See Reduced Benefits. *See* Intermittent Sickness.

3496. A brother who, having been disabled while in arrears and not beneficial, so far recovered as to engage in business, and subsequently pays all arrears and puts himself in good standing and the Lodge paid him his benefits on another cause of complaint. Afterwards while in good standing, he is again taken sick and from a fresh cold that aggravated the old malady, is entitled to benefits.

3497. A Lodge may legally enact a By-Law like the following: "Should a brother be reported sick or disabled, suffering with the same sickness or disability for which he had received weekly benefits within a period of forty weeks after having been declared well and off the care of the Lodge, such sickness or disability shall be considered as a continuation of the previous

sickness or disability, and weekly benefits shall be paid commencing with the first week at the same rate per week following the last week's benefits paid for the previous sickness or disability," unless there is something in the law of the Jurisdiction or the Subordinate Lodge Constitution to prevent it.

3498. A Lodge may legally enact a By-Law like the following: "Every member having received benefits for sickness or disability from the Lodge, and being declared off the care of the Lodge, and again being reported with the same sickness or disability, his benefits shall commence at the same rate as when declared off the care of the Lodge," unless there is something in the law of the Jurisdiction or the Subordinate Lodge Constitution to prevent it.

3499. A Lodge may legally enact a law fixing any period of time between a brother who is sick or disabled being declared off the care of the Lodge, and then being placed again on the care of the Lodge for the same sickness or disability, fixing the amount of benefits to be received per week to be the same as the amount paid said brother was receiving when declared off the care of the Lodge; unless there is something in the law of the Jurisdiction or the Subordinate Lodge Constitution to prevent it. The length of time is to be determined by each Lodge.

RELIEF.

3500. It is the duty of Subordinate Lodges in this Jurisdiction, whose visiting brothers, with proper cards, may have received relief when sick or disabled, from any Lodge or Relief Association connected with the Order, to refund the amount of relief so granted on being notified of the fact by such Lodge or Association. Provided, that the amount required does not exceed the amount endorsed on the card, as being the amount to which the visiting brother was entitled by laws of the Lodge to which he belonged.

3501. When a brother is in a Jurisdiction other than that to which he belongs, and shall need the care and attention of the Lodge, it shall be the duty of the Visiting Committee of the Lodge to make report at the last meeting of the month of the condition of the brother; the same to be forwarded by the Secretary to the brother's Lodge, accompanied by any bill the Lodge may have contracted on his account.

3502. A member of the Order in good standing, evidenced by holding an unexpired Visiting Card, issued in conformity with the Laws of the Order by his Lodge or Encampment and having the Annual Traveling Password, being in distress, or pretending so to be and needing money, and who having asked for and received from a Lodge or a member thereof, a sum of money, under the assurance and promise, that he will return or repay the same within a given time or so soon as he returns home, but who shall neglect to do so after a reasonable time thereafter, without a satisfactory excuse being rendered, shall be deemed guilty of conduct unbecoming an Odd Fellow, and due notice of such facts having been officially communicated to his Lodge by the Lodge so loaning him the money, it shall be the duty of his Lodge to notify him of such indebtedness or loan, and to demand payment thereof; and if he then refuse or neglect to pay the same, his Lodge shall prefer charges against him, try him, and if found guilty, and without sufficient mitigating circumstances, to expel him from the Order. If there be such mitigating circumstances then to impose such penalty as the Lodge may deem best.

3503. The possession of a Visiting Card in date, stating the amount of benefits which the Lodge issuing such card pays to a member in good standing when sick or disabled and unable to follow his usual occupation or otherwise earn a livelihood for himself, is sufficient authority to warrant the payment of such benefits by a Lodge of the same or another Jurisdiction upon proper proof and satisfactory examination; provided, that it shall be the

RELIEF.

duty of the Lodge receiving the card to immediately notify the Lodge issuing the card. If the card of a sojourning brother states that his Lodge pays for watchers and the amount, the Lodge having the brother in charge, in case of sickness, has a right to pay not exceeding that amount, notwithstanding it may provide for watching with its own sick by draft of its own members.

3504. A Lodge granting relief to any one, without an order from such Lodge, cannot demand that the amount so granted be refunded, unless the same be paid for sick benefits evidenced by a card.

3505. The matter of benefits, pecuniary and attentive, is delegated by the Sovereign Grand Lodge to subordinates. But the general rule presented by uninterrupted usage and custom and recognized by the Sovereign Grand Lodge as touching the matter submitted is that as a Lodge binds itself for benefits to its members by its By-Laws, so it is bound, and no further, when the same are paid or rendered, as pecuniary or attentive, by another Lodge; and any excess in money or services creates no legal obligation, and the claim therefor by the Lodge paying the money or performing the services, on account of a transient or visiting brother, cannot be enforced against his Lodge. A Lodge caring for visiting sick brothers can only collect such expenses as are allowed by the laws of the Jurisdiction to which such sick brother belong.

3506. The Grand Lodge cannot be held responsible for relief afforded to a member of one of its defunct subordinates, unless assets to the amount of the benefits extended shall have come into the possession of the Grand Lodge upon forfeiture of its charter by such subordinate.

3507. Should a brother be taken sick away from home, and have no card, the By-Laws of Lodges generally provide that he must make periodical claims for benefits accompanied by a physician's certificate. If the brother fails to comply with these provisions, it relieves the Lodge of the duty to pay the benefits claimed for the period.

3508. A member being sick and receiving benefits, by the advice of his physician went to Florida, and while there made regular reports and complied with all the requirements of the law. He started for home, and by the advice of his Florida physician stopped in Georgia, and while there was in charge of his Florida physician. There was no Lodge at the place of his sojourn, and he was unable to communicate with one. The law required him to report every four weeks and forward a certificate of his condition from his attending physician, attested by a Justice of the Peace. Held, that the law does not require impossibilities, and as it appeared that the brother used every effort to comply with the law, he was entitled to the seventeen weeks' benefits after leaving Florida, he having reported to his Lodge as soon as he arrived home.

3509. When a sick brother away from home reports himself to a nearby Lodge, this Lodge is required to place the brother in charge of its Relief Committee, and to immediately communicate with the brother's Lodge forinstructions as to the pecuniary and attentive benefits to be paid.

3510. The brother is thus brought within its territorial Jurisdiction, the Lodge visiting him is required to give him the same attentive care it gives its own sick brothers, and its reports as to his physical condition are of the same value as though made by the relief committee of his home Lodge. The clause as to the doctor's certificate is inoperative unless by special instructions from time to time from the home Lodge and at its expense.

3511. By thus placing its sick brother in the charge of another Lodge the Lodge binds itself for benefits to its members as by its By-Laws it is bound, and no further, than the same are paid or rendered, as pecuniary or attentive, by another Lodge; and any excess in money or services creates no legal obligation and the claim therefor by the Lodge paying the money or performing the services on account of a transient or visiting brother cannot be enforced against his Lodge.

RELIEF.

3512. A Lodge caring for visiting sick brothers can only collect such expenses as are allowed by the law of the Jurisdiction to which such sick brothers belong.

3513. A Lodge, having a sick brother of another Lodge in its charge, has not the right to refuse to furnish the sick brother's Lodge with a copy of their minutes relating to the sickness of said brother, including the report of the Relief Committee. A Lodge is entitled to any information in relation to a sick member taken care of by a sister Lodge.

3514. Should a brother acquire the Semi-Annual Password improperly, and by making use thereof obtains relief from a Lodge of which he is not a member, his Lodge is not responsible for funds obtained under such circumstances.

RELIEF COMMITTEE.

3515. It is the duty of the Relief Committee to visit a brother who may be sick, even those who by the provisions of the Constitution, are disqualified from receiving benefits until they shall be suspended from the rights and privileges of the Order.

3516. Under a constitution for subordinates, prescribed by a Grand Lodge, which provided for visiting sick brothers in "good standing" only it was decided that brothers in arrears, but not dropped, were not entitled to visits whereupon the Sovereign Grand Lodge passed the following: "Resolved, that it is a fundamental principle of Odd Fellowship that a brother in arrears for dues who is not dropped is entitled to be visited by the officers of his Lodge and cared for in sickness, although he may not be entitled to pecuniary benefits, and that any provision to the contrary in the Constitution for subordinate Lodges prescribed by any State Grand Lodge, is void.

3517. In this Jurisdiction the Relief Committee of a Lodge is composed of the Noble Grand and Vice Grand and such associates as are fixed by the By-Laws of the Lodge.

3518. The question having been presented whether it "is legal for a Lodge to form a Relief Committee consisting of the Noble Grand and two other members, not the Vice Grand; the term of the other members to change monthly?" was referred to the Grand Master, which he answered as follows: "While the written law of this Grand Lodge does not, except in the 'Form of By-Laws,' adopted for the use of Lodges, define who are to be members of the Relief Committee, how they are to be appointed, or the length of their term of service, yet the almost, if not the entirely uniform practice of our Subordinate Lodges, from the establishment of Lodge No. 1, until now, has so engrafted into our usages the custom of making the Noble Grand and the Vice Grand part of this Committee, as practically to give it the force of law, and can not be set aside except by the specific action of the Grand Lodge.

By the custom of the Order this Committee may also consist of the Noble Grand, Vice Grand, and Recording Secretary of the Lodge; but in some Lodges an addition is made to it of the Treasurer and three others, so as to have one member for each day of the week. In this case, the Noble Grand visits the sick or distressed brother the day after the Lodge meeting and leaves with his family the order drawn for benefits. The Treasurer visits him the day after this, and pays the order. The other members follow in succession, one each day.

3519. It is the duty of the Relief Committee to investigate the sickness of a brother and report thereon to the Lodge, which report should be noted in the records of the Lodge in order that the brother may have the benefit of that record in case of an appeal, and that the Lodge may also have the benefit of the record in its future dealings with the brother during this sickness.

RELIEF COMMITTEE.

3520. By the custom of the Order it is the duty of the Relief Committee to keep themselves informed at all times as to the condition of a brother who has been reported sick. To report to the Lodge the benefits he is entitled to. To provide for his care and watching as the case may require. To draw his benefits from the Treasurer after the same shall have been ordered by the Lodge to be paid. To visit the sick brother and to pay him the benefits to which he is entitled. And this duty they will perform to all brothers reported to them and placed in their care, without regard as to whether the sick are members of their own Lodge or not.

3521. When a brother is in a Jurisdiction other than that to which he belongs, and shall need the care and attention of the Lodge, it shall be the duty of the Visiting Committee of the Lodge to make report at the last meeting in the month of the condition of the brother; the same to be forwarded by the Secretary to the brother's Lodge, accompanied by any bill the Lodge may have contracted on his account.

3522. The By-Laws of a Lodge required the Visiting Committee to visit all brothers reported sick, to render assistance and to continue such visits once a week until they are restored to health. A brother had been continuously sick and received benefits for about three years. A new Noble Grand paid him a visit, and was received by the sick brother in a manner deemed discourteous and insulting. On this being reported to the Lodge, it was decided to demand an apology. The brother, in a communication to the Lodge, disclaimed any intention of insulting the officer and regretted having incurred the displeasure of the Lodge and asked that benefits be allowed him. No further apology was offered, the brother continued sick, but the officers did not visit him nor report his condition to the Lodge. Held, that he was entitled to benefits and that the Lodge should have compelled its officers to visit the brother.

3523. It is the duty of the Relief Committee to keep informed by personal visitation as to the condition of the sick brothers, in their charge. It is expected that they will not only keep constantly informed relative to the condition of each sick brother, but will report it to the Lodge, and see that the Lodges of sojourning sick brothers through the Secretary are frequently informed as to their condition.

3524. The Relief Committee are the agents of the Lodge, and in the absence of evidence otherwise, their reports accepted by the Lodge as to the beneficial condition of the sick are binding on the Lodge.

3525. The record showed that a brother was reported "unwell and entitled to benefits," and two weeks' benefits were paid him. Afterwards the Noble Grand, at various times, reported him as "entitled to benefits or aid or sympathy," but no benefits were given him, and the Lodge by resolution refused him benefits at the time of the last of such reports. Held, that the record showed him entitled.

3526. The Relief Committee is like any other committee of the Lodge. If the Lodge is not satisfied therewith it may use other means of information.

3527. Owing to the neglect of the Sick and and Visiting Committee to do their duty, a special committee was appointed, who reported that "they find, from the statements of the different Past Grands, that Brother F is not entitled to benefits for the whole time for which he claimed benefits, but they find that in the latter part of 1878 Brother F was taken sick and remained so for some months. They could not ascertain the exact length of time, but thought it must have been at least five months. Therefore they recommended that benefits at the rate of seven dollars per week be paid Brother F for that length of time." Held, that he was entitled to benefits for five months.

3528. When the Relief Committee visits a brother, and it is their duty to visit him if he is within the territorial Jurisdiction of the Lodge, this dispenses with all requirements as to written notices of sickness and claims for benefits. The

knowledge of the brother's sickness by the Lodge and the visit of the Relief Committee constitutes legal notice and estoppes the Lodge from claiming that a written notice was required.

3529. Upon an application for sick benefits it is not within the province of the Noble Grand or Relief Committee to decide whether a member is entitled to benefits or not. All they or either of them may legally do is to express an opinion.

3530. A Lodge has the right to overrule the recommendation of the Relief Committee, and may reject a report therefrom and allow benefits contrary thereto.

3531. If there is no objection to the report of the Relief Committee, the Noble Grand may direct an order to be drawn on the Treasurer in favor of the Relief Committee for the sums that according to their report appear to be due the brothers for weekly benefits. This being such a regular order of business as can be transacted by general consent. A Noble Grand, upon the report of the Relief Committee can direct the drawing of an order for the payment of benefits to those entitled, where there is no objection; any objection to such action would necessitate a motion to draw the order.

3532. A brother who is on the sick list and has been paid benefits cannot be stricken off the list without investigation and notice to him.

3533. A brother who authorized the Relief Committee to report him "out of care" abandons his claim to benefits and cannot afterwards claim them on the plea that he was induced to do so unless there is evidence of that fact or coercion.

3534. A Lodge directed the benefits to be paid a brother for the first week of his sickness, but declined to pay for the second week because the brother said to some members of the Lodge, on the day preceding the last day of expiration of week for which he claimed the benefits, "that he would go to work that day," while the evidence of the brother is that he did say so, but that he met the doctor afterwards, and he advised him not to go to work for two or three days which he concluded to do and did not go to work until after the expiration of the second week. The benefits were awarded the brother for this week.

3535. A Lodge cannot fix visiting limits; it cannot provide that the Relief Committee shall not be required to visit a sick member residing more than three miles from the town or Hall in which the Lodge is located.

3536. There can be no limit to distance to which the Relief Committee shall go to visit sick members within the Territorial Jurisdiction of the Lodge.

3537. By the local law of the jurisdiction as contained in the skeleton code it is provided that a member of the Relief Committee receiving notice of the sickness or disability of a member of the Lodge, provided the disease be not contagious, shall visit him within forty-eight hours thereafter; and at least one of the Committee shall continue to do so once a week, or more frequently, as the case may require and the Lodge direct, until no further attention is required. Should one member of the Committee request another member to visit any sick or disabled member with him, it shall be the duty of the member so requested to do so.

3538. A Subordinate Lodge is bound to have its officers visit the sick members during the entre time of sickness, and such requirements should be enforced by the sense of duty which every Odd Fellow owes to the Order.

3539. From the evidence in an appeal for benefits it appears, that the brother was reported sick on September 9, and was visited by the Relief Committee and paid benefits to December 2; from that time to January 6 he was not visited by the Relief Committee, but paid benefits; on February 3 a certificate from a physician was presented to the Lodge, setting forth that the brother has been unable to follow his usual occupation, and upon

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such certificate, benefits were paid; like certificates were presented to, and received by the Lodge on March 3 and 16, and benefits paid. On September 14, after an interval of nearly six months, a certificate was received by the Lodge from the same physician, setting forth that the brother has been unable to follow his usual occupation, and was sick from September 9, which certificate the Noble Grand declared was not in conformity with the By-Laws. It was held that the Lodge failing to visit the brother who was within bounds of the Relief Committee, and in lieu of the Report of said Committee accepted a physician's certificate. It was then too late to set up the defense that the brother was bound to give ten days' notice; the Lodge or its Relief Committee failing to visit the brother weekly until he was declared off the Lodge, and according to justice and equity, the Lodge was in fault and it should not be allowed to take advantage of its own wrong.

3540. The Relief Committee of a Lodge having reported favorably upon an application for benefits, the Lodge appropriated the amount to which the brother would be entitled, but subsequently, and before the Committee had paid the brother, they found that they had been entirely mistaken as to his beneficial condition. Under these circumstances the Committee were warranted in withholding the money and in reporting the matter to the Lodge for its further order in the premises.

3541. The Relief Committee of each Lodge shall constitute the committee or trustee of any member of such Lodge disqualified by insanity or otherwise from asserting his legal rights; and it shall be their duty to disburse the benefits to which such member may be entitled for his support, maintenance and proper care. The acts of such committee shall be binding on the Lodge and member in every respect. Provided, that their accounts shall be at all times subject to examination of the Lodge and the Grand Lodge. And provided further, that before any such committee shall be empowered to act, they shall procure in writing the assent of the wife, eldest child or next friend of the brother in whose case such action is deemed necessary. Provided further, that where there is a wife who was dependent upon the brother at the time the insanity occurred, the Lodge shall pay the benefits to the wife, unless she be not personally a proper person to receive them. Others cannot maintain a claim on these funds, as the laws of the Order expressly provide for the manner in which such moneys shall be disposed of, and the payment of them to the wife will be strictly in accordance with the laws of the Order.

3542. This important duty of our Order of visiting the sick, should never be neglected; but it should also be performed with due regard to the welfare of the sick brother, and the comfort of his family.

First. Ascertain the condition of the sick, and the propriety of visiting him at his bedside, either from the family, or, what is better, from his physician; and govern yourself strictly by the directions of the latter in all subsequent calls.

Second. Be gentle, easy, and noiseless as possible in your approach toward a very sick man, to whom you should be announced, before you enter the room, by some one of the family or his nurse. Be calm in appearance, speak in a moderate, smooth, and pleasant voice (a whisper is more annoying to most persons than a loud voice), ask but few questions, and be careful not to converse too much, or on trying subjects. When a patient is very weak, speaking and hearing are very fatiguing. From two to five minutes, in such cases, are long enough for an ordinary visit.

Third. When the patient is recovering, and needs company to cheer him up and occupy his time, give him due attention yourself, and induce those brethren to call upon him with whom he was particularly intimate, or to whom he felt great attachment. A wealthy brother, of respectability and influence, can at such times show his sense of our principles by visiting his more humble brethren with whom he is well acquainted, and by leaving with them books and papers to occupy their time, or sending them such little delicacies as their varying and capricious appetites may crave. And the visits of the brethren generally will be acceptable, and should be made.

Fourth. In visiting widows and female orphans of the Lodge, greater circumspection generally is needed than visiting those of our own sex. Let two of the Committee, in such cases, visit in company, or one with the physician, or, better still, if married, or if you have near female relatives, induce one of the ladies to accompany you; or, best of all, organize a Visiting Committee of Daughters of Rebekah, to whom, in connection with their husbands, brothers, or sons of the Committee, all visitation under these circumstances might be confided. No man can equal woman's tenderness and tact in the sick-room, or with the distressed family, or the mourning group.

Lastly. Time your visits to suit the most convenient hours of the family, and especially to meet the best intervals of the patient. Be sympathizing, but hopeful and cheerful in your intercourse with them, for much depends on the feelings that may be inspired in the patient by the countenances and words of those around him.

Watchers with the sick will find in the above directions a few hints that may guide them in the proper mode of performing their duties. The rest they will receive from the physician or the regular nurse.

RENUNCIATION OF THE ORDER.

See Resignation.

3543. If any Odd Fellow shall renounce the Order, he thereby forfeits all benefits to which by law, he may be entitled, from the time of his renunciation. Odd Fellowship recognizes the right of its members to worship God according to the dictates of their consciences, and holds no fellowship with party or sect; therefore when a member of this Order, in good stand- is reported to have made so called renunciation of Odd Fellowship, through sectarian or other influence, upon his death bed, and his family has refused to permit his Lodge to attend the funeral in a body, the Lodge is not released from the payment of funeral and weekly benefits.

3544. Where a member of a Lodge in good standing was a member of a religious organization, the rules of which required him, before he could be the recipient of its last rites to renounce Odd Fellowship; being taken sick, he made a verbal renunciation in the presence and with the consent of his family. Held that this so called renunciation did not sever his connection with the Order, and his widow did not forfeit her rights to funeral benefits by permitting her husband to be buried according to the rites of his church.

3545. Where a brother is guilty of a so called renunciation of the Order, yet afterwards continues his connection with his Lodge, it must be considered that he recalls or repents of his so called renunciation, and if the Lodge allows his connection with it to continue, it condones and forgives the offense, and is estopped from pleading it against him or his widow and children after his death.

3546. There is no doubt that according to the general law of the Order an oral renunciation of Odd Fellowship has no effect whatever upon a brother's membership or standing in his Lodge.

3547. In a case where a member, during his sickness, made an oral renunciation of Odd Fellowship, it was held that this renunciation was not the resignation of membership in the Independent Order of Odd Fellows contemplated by the laws of the Order thereunto relating. The manner by which a member may sever his connection with the Order, in case he wants to renounce it, is by written resignation addressed to the Lodge, and he must, of course, be clear of every charge whatsoever on the books of the Lodge, and this is conclusively applicable to the case in question No renunciation of a brother to a party not concerned in in the contract between himself and the Order, could, by any rational construction, be considered the resignation contemplated, neither could the influence of third parties brought to bear in bringing about the renunciation, however unworthy or mistaken, absolve our Order from the execution of its plighted faith. In this case the widow was awarded the funeral benefits she claimed.

REPORTS.

3548. By the general law it is made the duty of the Secretaries of Lodges to make and of the Grand Secretary of the Grand Lodge to procure correct reports of the work of the Subordinates, and the former are therefor the proper officers to transmit and the latter is the proper officer to receive these reports when properly made.

3549. The Grand Lodge is compelled by the Sovereign Grand Lodge to make such laws and regulations and to enforce such penalties as will enable it to compel the Subordinate Lodges to make and send up full reports as required by law.

3550. The failure of State Grand Bodies to pass such laws as may be necessary to enable them to make their annual report and return each year, is a fruitful source of trouble to the Grand Secretary of the Sovereign Grand Lodge, and interferes very materially with the operation of the system of returns so necessary for the proper working of the Order. In addition thereto, many of the jurisdictions have failed to require the returns from their subordinates, made necessary by the new regulations from time to time made by the Sovereign Grand Lodge.

3551. The officers of Subordinate Lodges shall not be installed, nor furnished with the Semi-Annual password unless the reports, returns and moneys due from such Lodges to their respective superior jurisdictions be actually made and placed in the hands of the proper officer, or be actually in transit to the proper destination.

3552. Where a Past Grand fully qualified, is elected Grand Representative to the Sovereign Grand Lodge for two years, but at the expiration of one year his Lodge fails to make its Annual Returns, the question was presented. Does this prevent him from holding his office to the end of the time for which he was elected, and it was held that the mere failure of the Lodge to make proper returns would not, of itself, affect the Brother's right to the office as Grand Representative, but if, as a result of such failure, the suspension of the Lodge follows, then, in that event, the Brother should, within the time limited by local law, deposit his card in, or connect himself with another subordinate Lodge.

3553. The fiscal term ends on election night. The Secretary's Report for the term must be made out before installation night, and not to include it. Immediately after the installation the Secretary will forward the report to the Grand Secretary, giving or sending to the District Deputy Grand Master the abstract copy thereof.

3554. The general laws of the Order require that all term reports, which may be made to Grand Lodges by the Lodges, shall contain in their own handwriting the signatures of the elective officers thereof, and shall be carefully preserved by the Grand Secretary.

3555. The accounts of the term must be settled and audited, the Semi-Annual Report made out, and the per capita taxes due for the Grand Lodge and for the Orphans' Home, paid to the Grand Secretary before the installation of officers of a Subordinate Lodge can take place. Neglect of duty in this particular indicates the general unfitness of an officer, for it takes no more time nor labor to prepare and present the report and have the receipt of the Grand Secretary for these per capita taxes on installation night than it does months afterwards, and failure to have these at that time raises a presumption that all the work of the Lodge is behind hand, and that the interests of the Lodge are suffering and the members discouraged by official apathy.

3556. The Secretary is required to enter in a book provided for that purpose a copy of each Semi-Annual Return: and it shall be the duty of the installing officer at the time of installation of officers, to compare the abstract received by him with the Secretary's record, and if they do not agree, to require the Secretary to make the necessary correction.

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3557. The September Report is an Annual Report, and is to cover all the operations of the Lodge for the past year.

3558. The report for the term ends at the closing of the Lodge on election night, and the membership is to be reported as it then stands. The report is to be made out during the ensuing week, and to be ready for presentation at the opening of the Lodge on installation night.

3559. Attention is particularly called to the "Orphan's Home Dues," or rather per capita taxes for that purpose paid by the Lodge, to the Grand Lodge, as in order to secure uniformity and accuracy in the statistical information required by the Sovereign Grand Lodge, this item of Lodge expenditure must appear in the Annual Report opposite to the statement "Education of Orphans." The Orphan's Home per capita taxes are in no sense "Working Expenses," and should not so appear in the report, and the statement "Education of Orphans" must also include all donations or appropriations made by the Lodge directly to the Orphans' Homes.

Attention is also called to the expenditures made by the Lodge for watchers and nurse hire for the members of the Lodge. These should be set down in the report opposite the statement "Special Relief," and this item will also include all special donations made by the Lodge for the relief of members of this or any other Lodge not included in the regular system of weekly and funeral benefits.

3560. The Subordinate Lodges shall make a summary of their report in the regular form. The form of this report is not fixed by local law, but is determined according to the information required by the Sovereign Grand Lodge to be furnished to it, by the Grand Secretary, concerning the assets, membership, Relief and Working Expenses of the Lodges in this Jurisdiction.

When the duties of Recording Secretary and Financial Secretary are performed by one officer, it is the duty of that officer to make out this Report.

When the duties are performed by a Financial and a Recording Secretary, it is the duty of the Financial Secretary to make out this Report.

3561. The Grand Lodge furnishes an Abstract Book for Reports to the Lodges, and it is the duty of the Secretary, as soon as the Semi-Annual Report is made out, to enter the items thereof in the Book of Abstracts, and thereafter examine the abstracts when making out a report, in order that discrepancies may not occur, and the Semi-Annual Reports of each Lodge of successive terms may harmonize with each other. This is particularly important for the reason that if the report of each Lodge is not in harmony with its preceding report, it is impossible for the Grand Secretary to make his report to the Sovereign Grand Lodge, and to the Grand Lodge of Pennsylvania, harmonize with his preceding Annual Reports respectively.

3562. A sitting Noble Grand has not the right to sign a report returning himself as a Past Grand, he not having previously passed the Noble Grand's chair, for the reason that the report is made out of a date prior to the expiration of his term of office.

3563. The report is to be made of the proceedings of the term then expiring, and must be signed by the officers in the capacity they then fill. In a separate schedule in the form of report a return is made of the officers elect. These latter officers cannot be installed until such returns has been exhibited to the installing officer and approved by him, and until this is done the officer who signs the returns is Noble Grand and not a Past Grand. This does not conflict with the right of a Past Grand sitting pro tempore as Noble Grand, or a Past Grand serving subsequently as a regular Noble Grand, to certify to his former honors as a Past Grand.

3564. The Secretary having made out his report and entered the same in the Book of Abstracts, will make out an abstract or summary thereof in the following form to be handed to the District Deputy Grand Master, or in case he is

REPORTS.

not the installing officer, the Secretary will forward the same to the District Deputy Grand Master of his District immediately after the installation.

..... Lodge, No.
....., 19
To D. D. G. M.

Dear Sir and Brother: The following items are respectfully furnished for your information in compiling your report for the Grand Master:

..... Lodge, No., meets on evening.
Number of members on last meeting night in 19 , ...
Number of members initiated during term, ...
Number of members reinstated during term, ...
Number of members suspended, ...
Number of members expelled, ...
Number of members deceased, ...
Present number of members, ...
Number of non-contributing members included in above, ...
Amount of receipts during term, $.....
Amount paid for relief during term, $.....
Amount paid for working expenses during the year, $.....
Total funds of Lodge, $.....

Fraternally yours,

....., Secretary.
(Seal) Address, ...

REPRESENTATIVE TO GRAND LODGE.

See Credentials.
Grand Lodge.
Degrees.

See Past Grand.
Honors of Office.

3565. The Grand Lodge has the right to establish a system of representation and it is the proper source whence such system should emanate.

3566. The Grand Lodge of Pennsylvania is a representative body with all legislative power vested in representatives, and only such Judicial and other power is given to Past Grands who are not representatives, but are members of standing committees as is specifically designated.

3567. The Past Grands who are not representatives can neither originate legislation nor enact laws, to do which there must be the right to make motions and offer resolutions, and to vote upon them.

3568. When the fundamental regulation does not otherwise provide, every representative body must judge for itself of the qualification of its members.

3569. Representatives to the Grand Lodge must be Past Grands in good standing in the Lodge they respectively represent, and each Subordinate Lodge (having at least one Past Grand) shall be entitled to elect one Past Grand of its body as Representative, to serve one year.

3570. "Good standing" may be required as qualification. Under a constitutional requirement of "good standing" as a requisite qualification for the office of representative the election of a brother not in good standing at the time to such office is void. Under such constitutional provision a representative-elect cannot pay up after election and thereby qualify himself.

3571. By virtue of service in the Noble Grand's chair, an officer becomes entitled to the rank of Past Grand and a right to a seat in the Grand Lodge. A Junior Past Grand can therefore be elected representative to a Grand Lodge, but services as Noble Grand to the very last moment is a preliminary condition to becoming a Junior Past Grand, and until a Noble Grand becomes a Past Grand he cannot be elected representative to his Grand Lodge.

3572. It is improper for a committee on credentials to accept the resignation of a duly elected and accredited representative and substitute there-

for another Past Grand of the same Lodge, even at the request and with the consent of such representative. Only those who have been regularly elected by their Lodges and hold the proper credentials can be legally admitted as representatives.

3573. A Grand Lodge judicially knows nothing of any other degrees than those which belong to its jurisdiction, and hence cannot require any of its members to be in possession of them, such as the royal purple.

3574. The removal from the vicinity of a Lodge to a distant part of the State will not disqualify one for the office of representative of his Lodge in the Grand Lodge. A change of residence does not disqualify one from acting as representative.

3575. Representatives to the Grand Lodge should be elected at the last stated meetings of the Lodges in September, to serve for one year, commencing on the Third Tuesday in November. If elected subsequently it must be for the unexpired term. Should a vacancy be created by resignation, suspension or decease, the Certificate of the Past Grand elected to fill the vacancy must set forth that fact upon its face in something like the following manner, "vice A..... B..... resigned" otherwise the brother cannot be acknowledged as a Representative.

3576. Form of Credentials for Lodge Representative: To be filled up, signed and sealed in duplicate, one copy to be given to the Representative, who will present the same to the Committee on Credentials at the session of the Grand Lodge, the other to be mailed without delay by the Secretary of the Lodge to the Grand Secretary with the annual or semi-annual report, as the case may be.

After a Past Grand has been admitted to membership in the Grand Lodge, and has received the Grand Lodge Degree, this Certificate will entitle him to a seat as the Representative of his Lodge, but will not admit him to the Grand Lodge.

To the Grand Lodge of Pennsylvania, I. O. O. F.:

This is to certify, that Past Grand (Write first name in full) has been duly elected the Representative of Lodge, No., in your body, to serve until the day preceding the third Tuesday in November, 19 .

In Witness Whereof, we have hereunto set our hands, and affixed the seal of the Lodge, this day of, 19

(Seal), Noble Grand.

....., Secretary.

3577. All disputed claims for seats as Representatives shall be referred to the Committee on Credentials, who shall examine into the merits of the same, and report their judgment to the Grand Lodge.

3578. No Representative to the Grand Lodge shall be entitled to mileage unless he be present at the opening of the Grand Lodge on the second day of the Annual Session and answers at roll call. If a Representative to the Grand Lodge, not previously admitted to membership in the Grand Lodge, goes to the Annual Session, but before he is admitted to the Grand Lodge, he is recalled home on urgent business he cannot secure his mileage as a Representative, as he is not a member of the Grand Lodge until he has taken its degree.

3579. If a Representative to the Grand Lodge has not been previously admitted to membership as a Past Grand and received the Grand Lodge Degree, he must present two Certificates before he can be admitted to the Grand Lodge, viz: a Past Grand's Certificate and also a Rep sentative's Certificate, both of which must be signed by the Noble Grand and Secretary, and be attested by the seal of the Lodge.

3580. Any Past Grand in good standing is eligible to the office of Representative. Previous to his taking a seat as such, he must, in addition to a Representative's Certificate, have presented a Past Grand's Certificate, and have been regularly admitted a member of the Grand Lodge.

REPRESENTATIVE TO GRAND LODGE.

3581. A neglect by a Subordinate Lodge to elect a Representative to the Grand Lodge at the time fixed by law, constitutes a vacancy, which the Lodge may fill.

3582. If the successor of the retiring Noble Grand has been duly installed, and if said Past Officer possesses all other requisites at the time of election, he is then eligible to the office of Representative. Until the Noble Grand has ceased to be such and has become a Past Grand, he cannot be elected a Representative to the Grand Lodge.

3583. After a Past Grand has been elected Representative, he, and he only, can be acknowledged as the Representative, unless he resigns, or is suspended or expelled or withdraws from the Lodge, or dies before the Session.

3584. A Past Grand who has been elected a Representative to the Grand Lodge is not thereby debarred from holding an elective office in the Subordinate Lodge to which he belongs.

3585. Representatives to the Grand Lodge must be elected in their respective Subordinate Lodges by a clear majority of the votes polled; a plurality vote is insufficient. All Third Degree members in good standing have a right to vote for Representative.

3586. A Representative duly elected and qualified, cannot be debarred from attending the Sessions of the Grand Lodge by a resolution of his Lodge; nor can such resolution debar him of any right, privilege or compensation he may be entitled to by virtue of his office as Representative, under the By-Laws of his Lodge.

3587. The Noble Grand cannot appoint a Past Grand to serve as Representative. A Representative cannot depute another Past Grand to fill his place and serve as Representative; nor are proxies recognized.

3588. It shall be the duty of the Noble Grand and Secretary of each Lodge in this Jurisdiction, at the time of making their Semi Annual returns, in the month of October, to make out and forward the credentials of their Representative to the Grand Secretary; and that officer shall deliver them to the Chairman of the Committee on Credentials at least three days before the meeting of the Grand Lodge, and that committee shall report thereon immediately after the opening of the Grand Lodge. Any credentials received within three days of the session shall be referred to said Committee after the organization of the Grand Lodge, and said Committee shall report thereon as soon as convenient thereafter.

3589. At a Session of the Grand Lodge an inquiry was made as to the contract for printing the German Journal, the Deputy Grand Master having assumed the principal chair, stated that he was not familiar with the subject, but that the brother who printed the English Journal for the Grand Lodge might possibly give some explanation. A point of order was raised as to whether the brother was a Representative. The acting Grand Master decided the point of order well taken, and that the brother could not speak upon the question unless by consent of the Representatives present. It was moved that the brother be granted the privilege of addressing the Grand Lodge upon the question. The motion was adopted.

REPRIMAND.

3590. Where a Lodge punishes a member by a reprimand, the sentence is complied with by the record on the minutes and notice to the brother; he does not have to appear personally to receive a lecture in addition unless the verdict clearly requires this as part of the punishment.

REPRIMAND.

3591. Charges were preferred against a brother for "conduct unbecoming an Odd Fellow," a trial committee was appointed, the accused appeared before the trial committee in person and counsel. Immediately after giving his own testimony to the committee he left the city for another Jurisdiction, where he intends to reside in future. The committee found the accused guilty, whereupon the Lodge directed the Noble Grand to reprimand the accused in open Lodge but he is out of the jurisdiction of the Lodge. Under the foregoing statement of facts the Lodge can require the accused to appear before his Lodge to receive the reprimand. If the accused claims inability to come before his Lodge because of business, expenses, or otherwise; nevertheless the Lodge can require him to appear to receive the reprimand. If the accused after being summoned to appear before the Lodge, fails to comply with such summons, the Lodge can try him for contempt, and punish him as provided by law in such cases.

RESIDENCE.

(a). General Principles.
(b). What Constitutes.
(c). As Affecting Admission to Membership in this Jurisdiction.
(d). As Affecting Admission to Membership in Another Jurisdiction
(e). As Affecting Dues and Benefits.

See Change of Residence.

See Transfer of Membership.

(a). General Principles.

3592. The general Law, is that no person can be admitted to membership in a Lodge other than the one nearest his residence, either by initiation or on deposit of card, or on deposit of any kind of certificate, without consent of such nearest Lodge, but if there be two or more equally distant, the option which to join is with the applicant.

3593. Under the general law, a person can be admitted to membership in any Lodge in the Jurisdiction where he resides, provided he has the consent of the Lodge located nearest his residence.

3594. Under the general law a person can be admitted to a Lodge located outside the Jurisdiction where he resides only by complying with all the special conditions fixed by law to such admissions, and provided that the Lodge to which he desires admission is the one located nearest his residence.

3595. The Grand Lodge may in the regulation of the subject designate that distances are to be measured by an air line or by the nearest traveled route.

3596. Where a brother was initiated into a Lodge without the consent of a Lodge nearer his residence which had previously rejected his application, he informing his Lodge correctly as to his residence and of his rejection by his nearer Lodge. Held, that the initiation was irregular, but that the brother having been initiated innocently on his part, was entitled to remain in the Order.

3597. The general law permits the Grand Lodge to so provide that the only restriction as to residence and application is that the Lodge to which he applies must be in a community of his residence, that is to say, the legally recognized political division, such as a township, borough or city, and if two or more Lodges are at work in the same general community the applicant can apply to either, and should another Lodge in the same community be nearer his residence it could not claim fees of the one admitting him.

3598. By the general law, within this territory, as bounded and determined by the nearness of the surrounding Lodges, each Lodge is compelled to extend to its own members, and to the members of other Lodges who may come into its charge, all the attention, fraternal care and visitation required by the laws of the Order and the By-Laws of this or their Lodges.

RESIDENCE.

(b). What Constitutes.

3599. The laws of the various States and municipalities, in consequence of the diversity of their provisions, would not, as a general rule, be a proper guide in determining the question of residence of applicants for membership, but Lodges must be governed in this respect by such considerations as would prevail in ordinary business or social relations, as, for instance, a married man, accompanied by his family and chattels, and engaged in some regular business, should be domiciled at the place of application, or a single man having with him his goods or the implements of his trade, should be engaged in the business of his calling, and the absence in eitner case of any good reason to suppose that the presence of such person was owing to the pursuit of a merely temporary object.

3600. A person was appointed a janitor by the Legislature for the House of Representatives, and during all the time of his appointment his family resided at their old home, and he visited them as often as convenient. He voted and was elected to office at his old home during the time of his service at the Capitol. While living there he applied for and was admitted to a Lodge located at the Capitol city. Thereupon his home Lodge objected to his membership in that Lodge. It was held that his employment at the Capitol was temporary, and that it was his evident intention to return to his old home, and in fact he did so return. Therefore he was all the time an actual resident of the territorial Jurisdiction of the Lodge located at his old home, and could not without its consent legally be admitted to any other Lodge, and the brother should without delay make application for a Withdrawal Card.

3601. A soldier permanently stationed at any point *ipso facto* acquires such residence there under the laws of the Order as makes him eligible to membership in a Lodge at the place where he is so stationed.

3602. Persons in the military service of the United States, who have been stationed continuously at one post for the space of six months or more, may make application for membership in our Order; provided they apply to the nearest Lodge or otherwise comply with the laws of the Jurisdiction in which the application is made.

3603. A brother is a holder of a Withdrawal Card from Regla Lodge, No. 6, Havana, Cuba, which expires the 27th of July next, and he desires to join a Lodge in the United States, but finds he cannot be admitted until he has been six months in the State, and setting forth that he is a soldier of the United States Army. That it is not probable that he would ever be six months in one place, and that his card would expire before his six months' residence has been acquired, and asking whether he could obtain permission to join before he had been a resident of a State six months. First, the Grand Sire has no jurisdiction in the case to grant any permission, as the matter is one for regulation by the Grand Lodges of the various Jurisdictions. In other words, it is a matter of local legislation as to what residence shall be required before an application could be made for admission. It is also provided that soldiers of the United States Army become eligible for admission by being stationed six months in a State. The fact that the brother holds a card from a Lodge at work under the immediate jurisdiction of The Sovereign Grand Lodge gives no right to deposit the same in a Lodge working under a Subordinate Grand Lodge, except in accordance with the laws in regard to residence of such Grand Lodge.

3604. A brother holding a card from a Lodge under the immediate jurisdiction of the Sovereign Grand Lodge, can only deposit the same in another Lodge, subordinate to a Grand Lodge, in accordance with the laws of such Grand Lodge with regard to residence.

3605. The Sovereign Grand Lodge has passed no general law requiring any length of residence in a Jurisdiction before application for membership

can be made, except in the case of a soldier or sailor, as hereinbefore stated. Therefore, where a Grand Lodge has fixed no period, Subordinate Lodges may fix such period by By-Law, and such periods need not necessarily be uniform. Such By-Law must be approved by the Grand Lodge to which such Lodge is subordinate.

3606. The Grand Lodge has no right to require a residence for any definite period before a brother can deposit a Withdrawal Card from a sister Jurisdiction.

3607. A member who obtains a Withdrawal Card and changes his residence to another Jurisdiction, but has no settled residence therein, cannot within twelve months of the issuance of the card deposit it and apply for membership in the Lodge granting it, he not being a resident of the jurisdiction of said Lodge.

3608. Residence is an elementary qualification for membership; hence a person, who is a resident and citizen of another State or the subject of a foreign power, and only a temporary resident within the Jurisdiction, cannot be initiated into the Order in such Jurisdiction. An individual can have only one legal residence.

(c). As Affecting Admission to Membership in this Jurisdiction.

3609. No person shall be admitted to membership in a Lodge other than the one nearest his residence, either by initiation or on deposit of card without the consent of such nearest Lodge, but if there be two or more equally distant the option which to join is with the applicant. When two or more Lodges are located in the limits of any township, borough, or city, said Lodges shall be considered as having the said township, borough or city, as the case may be, for a common location, without regard to whether or not they meet in one and the same hall, and therefore any eligible person resident of such township, borough or city, as aforesaid, applying for admission whether by initiation or card shall have the option as to which of the Lodges in his township, borough or city he will make application for membership, they being technically equally distant from his residence. Provided, that with respect to all other Lodges in this Grand Jurisdiction, except the Lodges located in the same township, borough or city, the territorial jurisdiction of each Lodge so situated in a township, borough or city, shall be determined by the general law as above stated, the measurement to be by an air line from the hall where the Lodge meets. Provided, Nevertheless that whenever a person qualified for membership shall apply for admission by initiation or deposit of card in a Lodge in the territorial jurisdiction of which he does not reside it shall only be necessary to obtain the permission of the Lodge or Lodges nearest to his place of residence in order to make his election into the Lodge, in whose territorial jurisdiction he does not reside, legal and valid.

[NOTE.—See Territorial Jurisdiction for form of request to lodge located nearest to the residence of applicant, for permission to initiate or admit him to membership in the Lodge, to which he has made application.]

3610. Two questions must be asked concerning every applicant for membership, to determine his situation in reference to his initiation or admissibility to the Order by reason of his residence. First. Does he reside in the same township, borough or city as is the location of the Lodge he seeks to join? Second. Does he reside within the boundaries of the State of Pennsylvania, in "territory" adjoining the township, borough or city which is the location of the Lodge he seeks to join, and is his residence so situated as to be actually nearer to the Lodge room of this Lodge than to that of any other Lodge in his neighborhood or equi distant? If either of these questions can be answered affirmatively, he may join this Lodge without its obtaining the permission of any other Lodge. If both of these questions be answered negatively, then the permission of the Lodge nearest to his residence must be first obtained before he can be admitted or initiated into this Lodge.

RESIDENCE—As Affecting Admission to Membership in this Jurisdiction.

3611. The penalty to be inflicted upon a Subordinate Lodge or Rebekah Lodge violating the provisions of the law prohibiting Subordinate Lodges or Rebekah Lodges from admitting persons as members not residing within their territorial jurisdiction, without having secured proper permission as provided by law, shall be as follows: Said Subordinate Lodge or Rebekah Lodge shall upon conviction of such offence, immediately remit to the Subordinate Lodge or Rebekah Lodge having such territorial jurisdiction, the initiation and degree fees received from the member so admitted to membership, and that from time to time thereafter when requested by the Lodge which has received the initiation and degree fees, pay to such Lodge, all dues received from said member so admitted to membership, and shall continue to pay all such dues while he or she shall retain his or her membership, provided nevertheless that this resolution shall not affect the present legislation or any decisions in respect of and in relation to members being admitted by cards.

3612. In case of the institution of a Lodge at the place of residence of persons who have already applied for admission in a remote Lodge and before their election, they cannot be admitted to the remote Lodge, but must join, if at all, the one at their residence. This is, however, a subject for local legislation, upon which there being no action by the Grand Lodge, the general law prevails.

3613. A brother with a Withdrawal Card, admitted to membership in a distant Lodge without the consent of the Lodge nearest his place of residence, is illegally admitted. For example, if a member of the Order holding an unexpired Withdrawal Card, or an Ancient Odd Fellow, should be admitted to a Lodge in whose Territorial Jurisdiction he does not reside without previous permission having thus been obtained his membership would be absolutely void. A member of a Lodge removed from his Jurisdiction and took a Withdrawal Card, which he suffered to expire without depositing it. After this, and while he remained a permanent resident of the Jurisdiction to which he had removed, he applied to his old Lodge for admission as an Ancient Odd Fellow, and was admitted to membership without consent of the Jurisdiction of which he was a resident. The applicant knew, or was bound to know, what the law was, and that his membership was illegal. The Lodge also knew or was bound to know what the law was. Held that his membership being illegal, he was not protected, and his status was that of an Ancient Odd Fellow.

3614. By the general law a Lodge receiving a member by Card in the same Jurisdiction at a distance from his residence—further from his residence than many other Lodges—violates the law that requires him to join the Lodge nearest his residence.

3615. By the general law a brother, joining a Lodge by card, is presumed to know the law requiring him to join the one nearest his residence, and in joining one at a greater distance is guilty of a violation of the law.

3616. By the general law where a brother joins by card a Lodge that is more remote from his residence than several others, the Lodge admitting him should be required to refund the money and cancel the membership.

3617. A person whose application for membership in the Lodge located nearest his residence has been refused, is not thereby prevented from petitioning for membership in any other Lodge in the Jurisdiction, provided that the Lodge nearest his residence shall consent thereto, and provided the Grand Lodge has not prohibited such application.

3618. Upon an individual applying for membership in a Lodge remote from his place of residence, the Lodge to which he makes such application shall give immediate notice to the Lodge or Lodges in the vicinity of his residence of such application, and shall wait three weeks for a reply thereto. If at the expiration of three weeks from the date of such notice, no reply shall have been received, a Committee may be appointed, who shall report at the next stated meeting as to the fitness of the candidate.

RESIDENCE.

(d). As Affecting Admission to Membership in Another Jurisdiction.

3619. If a person residing on the borders of this State is desirous of connecting himself with a Lodge under the Jurisdiction of an adjoining State, he may, with the consent of the Grand Master of this State, make application to a Lodge in an adjoining Jurisdiction; and the consent of the Grand Master must accompany the application.

3620. The privilege is granted to Lodges in adjoining Jurisdictions of receiving into membershp residents of the State of Pennsylvania. Provided, That such Lodge be at least three miles nearest in point of location to the place of residence of such parties. And provided also, That notice in writing shall be given to the Lodge or Lodges in this State nearest in point of location to the residence of the applicant, for at least four weeks previous to proceeding to an election.

3621. No citizen of one State, District or Territory wherein Lodges are established shall be admitted to membership in a Lodge of another State, District or Territory without the previous consent of the Grand Lodge or Grand Master of the State, District or Territory whereof such citizen is a resident.

3622. Any Lodge violating the foregoing section, upon conviction thereof before the Grand Lodge of the Jurisdiction within which the same is located, shall forfeit and pay to the Grand Lodge of the Jurisdiction within which the person, admitted to membership in violation of the provisions of said section, shall reside, all initiation and degree charges received from such person up to date of such conviction.

3623. A person resident of one Jurisdiction may be admitted to membership in another Jurisdiction either by initiation or deposit of card if all the following conditions exist.

First. The Jurisdiction must be contiguous or adjacent.

Second. He must have the consent of the Grand Lodge or the Grand Master of the Jurisdiction in which he resides.

Third. The Subordinate must be the nearest one to his residence.

Fourth. He must have the consent of the Jurisdiction under which the Subordinate exists that he proposes to join.

Fifth. The necessary consent, legally authenticated must accompany the application for membership.

3624. When consent has been given by the proper authorities for the election and initiation of a non-resident, the Lodge having original jurisdiction has no claim for fees.

3625. No permission a Grand Master can give will make it legal to elect a candidate outside of this Jurisdiction, unless the Lodge of the contiguous Jurisdiction is nearer the candidate's residence than any one of his own.

3626. When permission is given by the proper authorities for the admission of a non-resident candidate to membership in a Lodge out of the Jurisdiction in which he resides, and the fees for admission are less than are charged by the Lodge nearest his residence, he must pay the amount charged by the Lodge at his residence, and the Lodge receiving him must pay the difference to the Grand Lodge of the Jurisdiction where he resides.

(e). As Affecting Dues and Benefits.

3627. Subordinate Lodges most clearly have no right to refuse their members Visiting Cards or to decline to accept their dues or to refuse to pay them full benefits for the reason that they propose a temporary or permanent residence in any other place than the Territorial Jurisdiction of the Lodge in which a change of their ordinary occupations would increase the risk of life or health, nor because it is a more dangerous clime than that in which the Lodge is located.

3628. Subordinate Lodges have no right to enact a By-Law that members in the receipt of benefits shall forfeit the same in case they leave the Terri-

torial Jurisdiction of the Lodge, nor to prohibit their members from going to any point to which their interests may take them or their welfare or comfort demand.

3629. It is within the jurisdiction of a Grand Body to approve of the By-Laws of a Subordinate which provides for the payment of a higher rate of dues by those whose occupations are of such a hazardous nature as to make them more liable to accident, or by reason of their residing in a locality where the climatic conditions increase their liability to disease, than is required of the members living under ordinary conditions.

RESIGNATION.

(a). From Membership. (b). From Office.

See Renunciation. *See* Ancient Odd Fellow.

(a). From Membership.

3630. The law in regard to resignation from membership had its origin in the following decision of the Sovereign Grand Lodge, viz: "A member may on his own written application withdraw from the Order without taking a clearance card, that is if he be resolved to sever his connection with us and refuse to take a card, there is no reasonable or rightful remedy. A Lodge cannot (and should not if it could) detain him against his will, and it would not be charitable or consistent with our principles to retain his name on the books for the express purpose of allowing dues to accumulate that we might stigmatize him by suspension or expulsion. If a brother came among us with clean hands and faithfully discharges his obligations to the Lodge, why should he not be permitted to depart in peace, whether he chose to receive from us a certificate of character or not? To say that he could only retire from our halls by receiving a certificate would impose a restraint on his actions in denying to him the right to choose the time and manner of his withdrawal. This has never been the policy of the Order. To all who are worthy our doors are open, and if they be not content with us they are free to go."

3631. A written resignation severs the connection of a brother finally and entirely from the Order, provided he be in good standing and no charges are pending, or are preferred at the same meeting his resignation is presented, and therefore, when a brother has so separated himself from the Order he is no longer in any respect subject to its jurisdiction.

3632. A member of the Order made arrangement to go into the saloon business. On June 13th he went to the place of business of the Secretary of the Lodge and wrote a resignation from the Order and handed it to the Secretary. On June 15th he opened a saloon. The regular meeting night of the Lodge was June 18th at which time the resignation was read to the Lodge. The question was asked, when does this party's membership cease, on June 13th the date the resignation was written and came into the possession of the Secretary, or on June 18th the regular meeting night of the Lodge? It was held that the resignation takes effect from the close of the regular meeting of the Lodge at which it was presented.

3633. A resignation received by a Lodge cannot be laid over for one week. If the brother is clear of the books and free of charges, either pending or presented at the meeting, his membership is at the close of the meeting severed.

3634. A Lodge is guilty of insubordination which accepts the resignation of a member at a meeting in which charges are preferred against the member by the Grand Master.

3635. When a member resigns, he withdraws without a withdrawal card. The Lodge should send him a certificate or letter under seal acknowledging his resignation, upon which if he care to do so, he can subsequently make

RESIGNATION—From Membership.

application for admission to the Order. The following form of certificate may be used:

.....Lodge, No....., I. O. O. F.,
.....19....

.....

(Former Brother's Name.)

Dear Sir:

This certifies that your resignation as a member of this Lodge was presented at a meeting of this Lodge held the..... day of, 19....., and as you were clear of the books and free of charges, the resignation immediately became effective according to law. Should you at any time hereafter desire to rejoin the Order you may use this certificate upon which to base your application and to evidence the fact that your rank in this Lodge was that of.....

Yours truly,

(Seal.), Noble Grand.

Attest: Secretary.

3636. Upon resignation, a member becomes an Ancient Odd Fellow at once.

3637. A member who has been suspended for non-payment of dues cannot be allowed to resign his membership, although he offers to pay up all arrearages existing at the time of his suspension and such as have accumulated since that time. The Lodge can refuse to receive the money, if he will not allow himself to be reinstated or receive a Dismissal Certificate. He must be in good standing or he cannot resign his membership. He must be reinstated to place him in good standing.

3638. Where a brother is suspended for non-payment of dues, and after the period prescribed by law obtained a Dismissal Certificate from his Lodge, He was then admitted on the certificate, and paid up his dues accruing from the time of his admission. Held, that he was in good standing, and that if he so desired he might sever his connection with the Lodge by resignation or Withdrawal Card.

3639. A member in good standing can resign at any time before charges have been preferred against him, except where resignation and charges preferred are made at the same meeting.

3640. A member in good standing sends to his Lodge his resignation. A few days later he goes into a retail liquor business. He remained in said business a year or so and disposed of his business. Later on he made application to be admitted in his former Lodge as an Ancient Odd Fellow. Can he be admitted as such, or should charges be preferred against him for evading the laws of the Order? Held that after a member has resigned his membership the Lodge has no more jurisdiction over him, and no charges can be preferred against him. Under the laws of the Order a written resignation severs the connection of a brother finally and entirely with the Order, provided he is in good standing in his Lodge at the time of such resignation. A brother cannot resign unless in good standing. If the resignation is properly made he is not, under the law, any longer in any respect subject to the jurisdiction of the Lodge. If a member went into the saloon business since January 1st, 1896, prior to resignation, charges should have been preferred against him, but if he was in good standing and only engaged in the business after resigning, and subsequently retired from the business, and applied for membership in his Lodge as an Ancient Odd Fellow, he could be received or rejected as the Lodge might determine, and the Lodge in passing on his application for admission might well consider the circumstances of his resignation, and his subsequent conduct in engaging in the saloon business, and if he resigned to evade the law he should not be admitted.

RESIGNATION.

(b). From Office.

3641. A Noble Grand, who resigns before the end of the term is not entitled to the honors, though he has served a majority of the nights of the term.

3642. A Grand Officer who voluntarily withdraws from the duties of a station forfeits the honors thereof, and the successor who fulfills the duties of the unexpired term becomes entitled to said honors.

3643. A representative to the Sovereign Grand Lodge whose credentials are accepted, and who attends a session of that Grand Body and then resigns, does "not forfeit the honors of the position, and is entitled to wear the regalia and jewel of the rank of Past Grand Representative."

3644. A Grand Lodge having made the term of its subordinates one year, the general rule which requires a Vice Grand in order to become eligible as Noble Grand to serve a majority of the nights of the term applies to this new term as well as it did to the old term of six months; hence service for twenty-six nights will not suffice except in case of excused sickness or other contingencies now provided for by law, and if the Vice Grand after serving twenty-six nights resigns his office, he thereby forfeits the privileges and honors of the term.

3645. An appointive officer, before he can fill the office of Vice Grand, must serve a full term of twenty-six weeks, must be present at least fourteen regular meetings and continue in office to the end of the term. If he resigns before the end of the term, he is not eligible as Vice Grand.

3646. An officer of a Subordinate Lodge who resigns after serving but a portion of his term forfeits the privileges and honors of the term, but where there is a salary attached to the office, he does not forfeit his right to his proportionate part of the salary, although the By-Laws of his Lodge provide that "a brother elected to fill a vacancy is entitled to the rights, privileges and honors of the whole term."

RESTORATION.

(a). Of Charter. b). Of Expelled Member.

See Institution of Lodge. *See* Elections for Office.

(a). Of Charter.

3647. The Grand Lodge may return surrendered charters, that may have remained unclaimed for not less than five years, upon the petition of the requisite number of qualified brothers, although only one of the petitioners may have been a member of said defunct Lodge; provided, however, that if the requisite number of original members be not found among the petitioners it must be apparent that due diligence and effort have been made in good faith to procure the required number, or no surrendered funds, effects and properties of the defunct Lodge shall be returned with the charter; and in all cases the charter fee shall be required as in case of issuing a new charter.

3648. Any third degree member, holding a live Withdrawal Card from another Lodge, can join with former members of a defunct Lodge as one of the necessary five petitioners in the application asking for the restoration of the charter of such defunct Lodge.

3649. A Grand Body may allow a Lodge to be restored or resuscitated either where the charter was voluntarily surrendered or the Lodge was suspended or expelled, upon the application of five of the former members of the Lodge, and give the name, charter and effects of such defunct subordinate to such applicants; provided, that the petitioners at the time of their application shall not be connected with any other Subordinate Lodge. But it is illegal for a Grand Lodge to permit any members of a suspended or expelled Lodge to become members as petitioners or otherwise, who were engaged in the illegal acts that caused the suspension or expulsion.

RESTORATION—Of Charter.

The following is the form of petition for restoration:

To the Grand Lodge of Pennsylvania:

The petition of the undersigned, former members of..... Lodge, No. I. O. O. F., and whose Charter fee accompany this petition, respectfully represents that it would be consistent with the advantage of the Order to re-establish said Lodge, to be located at.....County of State of Pennsylvania, to be hailed as.....Lodge, No.....under your Jurisdiction.

Wherefore your petitioners pray that the Charter may be restored in accordance with the laws of your Body, to which we promise to conform.

This is also to certify that each of the petitioners has donated five dollars to a common fund, to be paid into the treasury of the Lodge, when restored as an absolute and unqualified gift to the Lodge; and it is to be used in defraying the expenses of re-establishing the Lodge; so that the Lodge may start with as little debt as possible.

Dated at this day of 19.....

3650. When a defunct Lodge is restored the charter fee is payable the same as for a new Lodge.

3651. The Grand Master has no authority to restore the charter of a suspended or expelled Lodge except where he has suspended a lodge, then he has power to reinstate it without waiting for the action of the Grand Lodge upon the charges preferred.

3652. Where a subordinate became extinct by failure to make returns, no application was made as required by law for restoration, but the District Deputy Grand Master installed the officers of the subordinate and set it in motion. This was sanctioned by the Grand Master, and his acts were approved by the Grand Lodge. On appeal to the Sovereign Grand Lodge, it was held that the rehabilitation of the subordinate was illegal, being in violation of the By-Laws of the Grand Lodge.

3653. When a defunct Lodge has been resuscitated on the application of only a part of its members, such resuscitation does not restore to membership all its former members who were in good standing at the time of its dissolution.

3654. Petitioners for the resuscitation of a defunct Lodge who are not present at the organization when the charter is restored are not restored to membership. They must come in by petition.

3655. Upon the restoration of a defunct Lodge, the original charter should be returned with a certificate upon the margin thereof, giving the names of those who petitioned for its restoration and the date of its restoration.

3656. When a charter of a Lodge is suspended, by the Grand Master, for insubordination, the Grand Lodge has the right to restore the charter upon such terms and conditions as it deems best, so that the rights of the innocent are protected.

3657. After a Lodge has been suspended by a Grand Master and such suspension approved and the charter reclaimed by the Grand Lodge, which action is subsequently declared illegal by the Sovereign Grand Lodge, and which action was therefore reconsidered and reversed by the Grand Lodge, the restoration of the charter by another Grand Master to a portion of the membership of the Lodge, and their institution as a Lodge, excluding certain members of the original Lodge is void. Such Lodge should be treated as if it had never been suspended.

3658. When a Lodge becomes defunct and its charter is withdrawn all the members are under suspension except such as receive cards from the Grand Lodge. When such a lodge is resuscitated by having its charter restored on petition of some of the original members, one who was in good standing at the time of suspension, but had not received a card from the Grand Lodge retains the status of a suspended member and must so

RESTORATION—Of Charter.

remain until admitted into the resuscitated Lodge, on such terms as the local law prescribes or until he shall have obtained a Dismissal Certificate in accordance with law.

3659. When a defunct Lodge has been resuscitated, by having its charter restored on the application of only a part of its members, those members making the application only may be restored at once, and the other members who were in good standing may resume membership upon such terms as the Local Laws of the Jurisdiction may prescribe.

(b). Of Expelled Member.

3660. The return of an expelled member to the Order is a matter of State legislation and the form of proceeding has always been left to the local law. He must first apply to his former Lodge and if that Lodge wishes to pass upon his case it must by petition obtain the consent of its Grand Lodge. That consent being obtained, the whole matter goes to the Subordinate Lodge under its By-Laws and the General Laws of the Order. The action of the Lodge under these limitations is potent for every purpose and should not be clogged with conditions and forms which may be in conflict with the regulations now in use for that purpose. The State Grand Bodies are competent to control this matter.

3661. The vote necessary to restore an expelled member, with the consent of the Grand Lodge, or the Grand Lodge Officers, is the same vote which expelled him from membership.

3662. No Subordinate Lodge can restore an expelled member of its own motion. The consent of the Grand Lodge or the Board of Grand Lodge Officers is absolutely necessary to authorize the restoration.

3663. The following form of Petition may be used:

.....Lodge, No. I. O. O. F.

..... 19, ...

To the Board of Grand Officers,
of the Grand Lodge of Pennsylvania, I. O. O. F.

Dear Sirs and Brothers:

..... formerly a member of this Lodge and who, after due trial was expelled therefrom for Conduct Unbecoming an Odd Fellow, namely
presented his application for restoration to membership, which application was referred to an Investigating Committee who reported in favor of his application; whereupon a ballot was had and two-thirds of the ballot were in favor of the restoration. Whereupon, the undersigned, at the direction of this Lodge, requests that your Board will grant permission to restore said to membership therein.

Fraternally submitted,

..... N. G.

Attest:

.....Secretary.

SEAL.

[NOTE.—A copy of the charges and specifications upon which the brother was convicted must accompany this application.]

3664. Form of permission to restore an expelled member:

.....19....

.....Secretary.
Lodge, No.
Pa.

Dear Sir and Brother.

At a meeting of the Board of Grand Officers, held on the day of, 19...., upon the application of your Lodge, permission was granted to restore to membership therein.

Fraternally yours,

Grand Secretary.

RESTORATION—Of Expelled Member.

3665. A suspended or expelled member shall not be admitted into another Jurisdiction without the previously obtained consent of the Grand Lodge of original Jurisdiction and of the Lodge from which he was suspended or expelled.

3666. A member expelled in one jurisdiction can be neither legally nor honorably reinstated in another jurisdiction except by the consent of the Grand Lodge of original Jurisdiction and of the Lodge expelling, and if reinstated (except by consent) is a member neither of the Lodge expelling him nor of the Order.

3667. A member of the Order suspended or expelled from a Lodge in any Jurisdiction shall not be admitted to membership in a Lodge in another Jurisdiction without the previously obtained consent of the Lodge from which he is suspended or expelled; provided, however, that members suspended or dropped for non-payment of dues only may be admitted to membership in another Jurisdiction upon such conditions and under such rules and regulations as the Sovereign Grand Lodge may have prescribed or may at any time adopt.

3668. An expelled member restored to membership should again sign the Constitution.

3669. An Initiatory member, expelled for contempt in not appearing to answer charges, was afterwards readmitted and paid the admission fee but did not again sign the Constitution. He afterwards received the degree without protest, was reported as a member and signed the constitution. Held that the irregularity did not vitiate his membership.

3670. One who has been expelled from a Lodge which subsequently becomes extinct can only regain membersnip in the Order through the Grand Lodge to which the Lodge he belonged was subordinate.

3671. Dues of an expelled member, restored to membership by his Lodge begin to accrue from the time he again signs the Constitution.

3672. Dues against an expelled member restored to membership on appeal to the Grand Lodge or to the Sovereign Grand Lodge begin to accrue from the time the decision reinstating the brother is officially announced to the Lodge, unless the brother is claiming benefits that have accrued during the period of his expulsion, in which case the dues would run with the benefits and be deducted thereform.

3673. The Grand Master has the authority to enforce the judgment of reversal on appeal against a Lodge, restoring an expelled member, either absolutely or ordering a new trial. In case of persistent disobedience to his mandate, he may proceed against the Lodge for insubordination.

3674. The Grand Lodge has no authority to compel a Lodge to restore an expelled member except on an appeal to it from the Lodge's action in expelling the brother.

3675. If on appeal by a member of a Lodge charged with an offense against the Order and expelled therefrom, the decision of the Lodge be reversed, he is thereby restored to membership in the Lodge without any action on the part of the Lodge. And where a member who has been expelled from a Subordinate Lodge appeals to the Grand Lodge of his Jurisdiction and the appeal is dismissed, and an appeal is taken from the action of his Grand Lodge to the Sovereign Grand Lodge, the appeal is sustained, and the Grand Lodge is instructed to direct the Subordinate Lodge to restore the brother to membership, in such case the position of the brother in the Order during the time between the adjournment of the session of the Sovereign Grand Lodge, at which the appeal was sustained and the time the Subordinate Lodge receives official notice from its Grand Lodge to restore the brother to membership is that he still stands expelled until official notice reaches the subordinate from the Grand Lodge, and then he should, of course, be restored to all his rights. The action of the Sovereign Grand Lodge takes effect when officially made

RESTORATION—Of Expelled Member.

known to the Subordinate Lodge through the State or Territorial Grand Lodge, and not before.

3676. The Grand Lodge has no authority to permit one of its Lodges to admit to membership an individual who has been expelled from another Lodge without the consent of that Lodge being first obtained.

REVENUE.

See **Per Capita Tax.**

3677. The Grand Lodge has full power to assess upon its subordinates a per capita tax or assessment for its support. The assessment is not upon the individual members, out of their private means, but upon the subordinates, in the ratio of membership, out of their Lodge funds.

3678. The right of a Grand Lodge to raise revenue for its legitimate purposes by assessment on its subordinates has been recognized and enforced by the Sovereign Grand Lodge.

REVERSIONARY INTEREST IN GRAND LODGE.

See **Appendix.**
Defunct Lodges.
Aged Odd Fellows' Fund.
See **Surrender.**
Charter.

3679. A Subordinate Lodge has control over its finances, and may use them for such benevolent or other legitimate purposes as the members may deem expedient having a due regard for the reversionary interest of the Grand Lodge.

3680. On the dissolution of a Subordinate Lodge all its property and assets, real and personal become the property of the Grand Lodge.

3681. This property is held for the purpose of assisting working Lodges in need of funds to sustain them, or it may also be applied to the assistance of the widows and orphans of members of defunct Lodges, or to any relief fund which may exist in the Grand Lodge, particularly the Aged Odd Fellows' Fund.

3682. Where certain property in a defunct Lodge was held by it as trustee for a specific purpose, the Grand Lodge, as reversionary trustee will see that such trust is duly executed and the trust fund applied to the purpose for which the fund was created.

3683. The Grand Lodge cannot appropriate the money derived from a defunct Lodge as it may deem best, even if the objects of the Order are not violated.

3684. It cannot vote these funds to the payment of sick and funeral benefits of such members as are unable, by reason of age and infirmity to join another Lodge.

3685. The Grand Lodge is liable, however, to pay out of these funds, moneys advanced by any Lodge for relief to a member of the defunct Lodge before it was informed of the surrender, but this liability extends only to the extent of the assets of the sick brother's defunct Lodge which came into the possession of the Grand Lodge, and to no greater extent.

3686. On the 16th of June, 1896, there was received at the office of the Grand Secretary a box, which, upon being opened, proved to contain the charter, rituals, ledger, seal and minute book of a Lodge, also a lot of regalia belonging to the Lodge. Upon reference to the minute book, it appears that at a meeting of the Lodge on June 6, 1896, "on motion it was ordered that the Lodge disband after June 6, 1896." On April 18, 1896, there appears to have been a preliminary motion made and adopted by the Lodge, and the Noble Grand desired the Secretary to notify the Treasurer, as follows: "By the desire of the Noble Grand you are requested to meet with the Lodge next

REVERSIONARY INTEREST IN GRAND LODGE.

Saturday evening, April 23, 1896, for the purpose of delivering up the money and railroad stock in your possession." At this meeting the funds were divided pro rata among the members. The Grand Lodge began proceedings without delay to recover the property, and obtained a decree of the Court of the county where the Lodge formerly existed requiring each of the members of the Lodge who par ticipated in the illegal distribution to return to the Grand Lodge the amount he received out of the unds of the Lodge, and to pay his share of the cost of the suit.

RIGHT SUPPORTER TO THE NOBLE GRAND.

3687. When the Noble Grand temporarily vacates the chair it is the duty of the Right Supporter to occupy it.

3688. The Noble Grand temporarily vacating the chair means while the Noble Grand is present in the Lodge room or ante-room.

3689. When the Noble Grand leaves the Lodge room then the duty of occupying the chair devolves upon the Vice Grand.

3690. The Right Supporter's occupation of the chair is purely temporary, and is dependent upon the Noble Grand being present to perform his duty. Therefore held that the Right Supporter to the Noble Grand has no authority to authorize a brother to confer the semi-annual password upon another brother of the same Lodge to enable him to visit other Lodges, but he can put a motion while thus occupying the Noble Grand's chair.

3691. A third degree member is eligible to appointment as Right Supporter of the Noble Grand.

3692. The Right Supporter of the Noble Grand, temporarily occupying the Noble Grand's chair, has no right to authorize a brother to confer the term word upon another brother of the same Lodge, to enable him to visit other Lodges.

RITUALS.

See Cipher and Key. *See* Work.

3693. The Ritual of 1896 takes precedence over a constitutional or statutory law in all matters purely ritualistic, such as opening and closing Lodges, or conferring degrees.

3694. The Grand Lodge has authority to compel Lodges to purchase a given number of rituals not exceeding the number allowed by law.

3695. Each Subordinate Lodge is permitted to buy, not exceeding four Rituals for the use of the Lodge.

3696. Extracts cannot be taken from the Rituals for any purpose except under authority granted by the Sovereign Grand Lodge, neither is it admissable to photograph groups of ritualistic characters, etc., without special permission of the Sovereign Grand Lodge.

3697. The question of dispensing with the use of books in the work of the Order is a subject for legislation of Grand Bodies.

3698. The question whether the obligations should be memorized or read from the Ritual should, in the absence of local legislation, be left to the Subordinate Lodges as the best judges of the manner by which their officers can most impressively render the work.

3699. In any conflict between the "floor work" and the Ritual or General Law, the latter must prevail.

3700. A Subordinate or Rebekah Degree Lodge may use any form of floor work it prefers, provided it conforms in all respects to the Ritual. The forms authorized by the Sovereign Grand Lodge are only guides, and are not obligatory. But if a Lodge uses any other form than that provided by the Sovereign Grand Lodge it is not proper to print and publish the same, as

RITUALS.

it must of necessity contain reference to the Ritual and Ceremonies of the Order, which can only be printed or published by authority of the Sovereign Grand Lodge.

3701. A Lodge may procure as many copies of the authorized floor work as it requires, but they should be retained in the custody of the Noble Grand of the Lodge for the use of its officers. They are not to be sold to or held by individual members as personal property.

3702. It is unlawful for the rituals or other books containing or relating to the secret work of the Order to be taken from the Lodge room. The Noble Grand of a Lodge, being the proper custodian of such books, may intrust them to his Subordinate Officers for the purpose of qualification while in the Lodge room. The laws of the Order prohibit the writing of the initiatory charges, as well as all other parts of the secret work.

3703. The law does not permit the Rituals being taken from the Lodge room, but if they can be bound in the Lodge Room there can be no objection; provided, the binder is a member of the Order, who has obtained sufficient rank and instruction therein.

3704. The obligation to a candidate must be administered by a Vice Grand or a Past Vice Grand. Where the instructions in "floor work" say that "positions on a staff are to be governed by the question of fitness," it means fitness within the limitations of law.

3705. The Rituals belonging to a Subordinate Lodge are in the official keeping of the Noble Grand; he shall neither take, nor allow them to be taken from the Lodge room at any time; he shall place them in the Archives previous to closing the Lodge, and no copies of or extracts from any part or parts of those books shall be taken for any purpose whatever. The Noble Grand is especially charged with the care of the Rituals, and with the enforcement of the above regulation.

3706. A Lodge may provide in its By-Laws that officers may be fined who cannot repeat their charges without the book.

3707. No officer, excepting the Noble Grand, or in his absence the Vice Grand, shall be entrusted with the key of the receptacle of the Rituals; and any other officer or member opening the same with other keys, or breaking it open, subjects himself to charges, and is liable to expulsion.

3708. A member of the Order cannot lawfully take the Ritual out of the Lodge room into the banquet room, which is connected with the Lodge room by a hall. The Rituals are in charge of the Noble Grand, and he has no right to allow them to be taken out of his possession or out of the Lodge room.

ROLL CALL.

3709. Upon an officer entering the Lodge after roll call he should report himself to the Secretary as present, whose duty it shall be to make a minute of such officer's presence on the book of records. The Roll Book is a *prima facie* evidence of absence, yet is not conclusive. If an officer can prove by the records or other competent evidence that he was present a majority of the nights and to the end of a term, he is entitled to the honors of the office. The sufficiency of evidence of presence is to be determined by a majority of the Lodge.

3710. It is the duty of Secretaries to mark as present any officer of the Lodge who reports himself as present within fifteen minutes after roll call. Other evidence than the roll book to prove presence may be admitted, the sufficiency of such evidence of presence to be determined by a vote of the Lodge.

3711. At the Annual Sessions of the Grand Lodge, the Roll of Representatives shall be called immediately after the opening of the Grand Lodge on

ROLL CALL.

the morning of the second day's session, and as often, during the session, as a call may be ordered by two-thirds of the members present (the vote to be taken without debate).

RULES OF ORDER.

3712. The Rules of Order by which a deliberate body is governed are its laws on the subject to which they apply and votes amending the By Laws of a Lodge are taken like any other vote subject to the Rules of Order. Any constitutional amendment made at a session of the Grand Lodge may be amended at any time during that session.

3713. It is not according to parliamentary usage to make a motion to establish a negative of a proposition and the affirmative of another, or, in other words, to move to reject a proposition and adopt or substitute another. Such a motion is unparliamentary and unknown to our legislation.

3714. A Grand Lodge, like any other legislative assembly, has the right to consider and adopt such legislation as to it seems best. Such right is limited only by the rules of the Body, and the fact that the legislation adopted is inconsistent with that previously adopted, cannot of itself deprive the body of its inherent power to consider any proposition submitted to it, and to take such action thereon, as it may determine to be best. The wisdom of adopting inharmonious rules or of following inconsistent courses is not a subject for the consideration of the Sovereign Grand Lodge on appeal. The advisability of adopting rules which apparently conflict, rest on the discretion of the Body acting. That the Grand Lodge has the power to adopt such rules is settled by universal and parliamentary practice.

SALARY.

3715. When a brother is injured to such an extent that he is not able to work, but his salary continues, he is not entitled to benefits, provided, his ability to earn a livelihood is not lessened by the disability so as to make him unable to earn a livelihood. For example, a Judge in receipt of a salary and who attends court occasionally, but is disabled from otherwise procuring the means of subsistence is, nevertheless, not entitled to benefits.

3716. The resignation of a salaried officer of a Lodge entitles him to receive the proportionate part of the salary he has earned, according to the number of meeting nights of the term that he has served.

3717. The fact of the continuance of his salary or wages by his employer shall not be construed to deny the right of benefits to a brother whose ability to personally earn a livelihood has been lessened by the disability.

3718. A Lodge may enact a By Law fixing the compensation of the Secretary and provide therein that it shall take effect at a past date. And by the ancient usage and custom of this jurisdiction the salaries payable to the proper officers of a Lodge must be a clearly stated and stipulated amount, and be payable at a specified time.

3719. By the General Laws of the Order where the governing constitution does not forbid the enactment of retroactive laws, it is within the power of a Subordinate Lodge, subject to such approval as is required by local law, to enact a By Law fixing the compensation, say of the Secretary, and providing that such law shall take effect from a past date, but such retroactive clause must be stated in express terms in the By Law, and not affect salary then received. The Grand Lodge has, however, declared that it will not approve the By-Laws of a Lodge that reduces the salary of a Secretary during the term for which he was elected.

3720. Whilst a Lodge is actually indebted to an officer for salary he cannot be suspended for non-payment of dues, but a claim for salary cannot be made an offset for dues as they are to be paid by a salaried officer the same as by the other

members, and non-payment subjects him to the same penalties as to his beneficial and good standing in the Lodge.

3721. When a brother who is an officer of his Lodge is taken sick and he claims benefits, it is found that he is indebted to the Lodge for more than thirteen weeks dues and the Lodge is indebted to him for salary to the amount of his indebtedness, it was held that inasmuch as the account stands open, no settlement having been made between him and the Lodge, and no order having been directed to be drawn on the treasurer for the salary therefore the brother is not entitled to the benefits claimed.

3722. An officer, serving without a salary fixed by the By Laws from time to time credited himself with his dues in payment for his services. The Auditing Committee examined his books each term, and reported them correct. This was afterwards discovered and a demand was made for the payment of the arrears of dues. This the brother refused to pay, and he was suspended for non-payment of dues, he thereupon appealed. It was held that the brother had no right to credit himself with his dues without authority of the Lodge. Though the auditing committee passed his accounts and reported them correct, as in the absence of evidence that their attention was called to the particular matter in question, it does not appear that the credits were allowed by the committee, therefore the brother was legally suspended for non-payment of dues.

3723. While a brother who neglects to pay his dues for more than thirteen weeks would not be beneficial, although the Lodge may owe him a sum equal to his indebtedness for uncredited salary, nevertheless when the Lodge is indebted to the brother enough to have made him beneficial at the time of his death had he been credited with the amount, his widow will be entitled to the funeral benefits.

SALOON KEEPER, BARTENDER AND PROFESSIONAL GAMBLER.

3724. No saloon keeper, bar tender or professional gambler shall be eligible to membership in the Order. [Adopted by the Sovereign Grand Lodge, 1895; became operative January 1, 1896.]

3725 This law is not retroactive, but should a brother who was on January 1, 1896, within the prohibited class, in any way cease to follow it, he cannot resume the occupation, nor may he change from one prohibited occupation to either of the other two without coming within the terms or this law.

3726. A saloon keeper is a person who is the owner or proprietor in whole or in part of a place of any kind or description where intoxicating liquors are sold as a beverage, and to be drunk in the place or on the premises where sold.

3727. A bartender is a person who tends bar or waits on customers in a place of any kind or description where intoxicating liquors are sold as a beverage and to be drunk in the place or on the premises where sold.

3728. A professional gambler is a person who is the owner or proprietor of a place in whole or in part where gambling is permitted, or a person who engages in gambling as a means of livelihood.

3729. All vinous malt and distilled liquors containing alcohol which are used as a beverage and when so used produce, or tend to produce, an entire or partial state of intoxication, are intoxicating liquors.

3730. A saloon keeper is an owner of the liquor business, while a bartender is an employee in such business.

3731. A member within the prohibited classes, but protected by reason of his membership in the Order by being engaged as a saloon keeper, bartender or professional gambler, prior to January 1, 1896, and who has continuously followed the occupation since, may transfer his membership by deposit

of Visiting Card or he may visit and acquire membership in a Lodge by a Withdrawal Card within one year from its date, or if in the saloon business when suspended for non-payment of dues and has not abandoned it, he is eligible to reinstatement in his Lodge.

3732. A brother who was engaged in either of these occupations at the time this amendment to the law went into effect and thereby protected and has since gone into either of the other two excepted lines of business is subject to the penalty of the law. For example, it is illegal to retain as a member one who was a bartender at the time of the amendment and who has since purchased a saloon which he conducts himself with the aid of a bartender.

3733. If a brother has gone into either of these prohibited kinds of business since he was suspended for non-payment of dues and at the time of his application for reinstatement continue in the same, he cannot be reinstated.

3734. By business is not meant not only engaging therein for gain, profit or wages, but in any way, without qualification as to time or quantity. If being so engaged for gain or wages is "conduct unbecoming an Odd Fellow," how much more so, for a member with the law before him, voluntarily to engage in it? Therefore, a member of the Order, not in the business when the law went into effect and who voluntarily engages in either of the prohibited forms, is guilty of "conduct unbecoming an Odd Fellow," and liable to charges. This must not be understood to apply to those who were members and so engaged at the time the law was passed. They had acquired vested rights under the law as it previously existed, and cannot be disturbed. But when they give up the business they cannot again return to it without a violation of the law.

3735. In a case where a brother admitted having served liquor over a bar, but denied being a saloon keeper or clerk in a bar. The brother also stated that he stayed in the said saloon, not for gain but just to accommodate a friend who wanted to visit his family for a few days. He also stated that he did not know that he was violating any of the rules of the Order, and if he had the sin was ignorance and that it would never occur again. Held that the brother was a bartender within the meaning of the law as the Constitution said simply "bartender" without qualification or limitation as to time or quantity.

3736. And likewise, when a brother started a hotel, with a bar, but did not tend the bar himself. The name of the hotel being the Vail Hotel, which is the brother's name, and the license was taken out in the name of the "Vail Hotel." The brother was held to be a saloon keeper.

3737. One engaged in either of these callings cannot regain admission in the Order on a Dismissal Certificate or as an Ancient Odd Fellow.

3738. The penalty to be inflicted upon an Odd Fellow convicted of being a saloon keeper, contrary to the law of our Order, and who, at the time of his conviction, continues in such business, is expulsion; but if the offending member has, prior to his conviction, in good faith, discontinued such business, then the penalty is such as may be determined by the trial Lodge.

3739. A brother having started in the saloon business contrary to the laws of the Order, the Lodge may, upon his application therefor, grant him a Withdrawal Card, unless charges have been preferred against him, or shall be preferred at the meeting to which the application for a Withdrawal Card is made.

3740. As the Constitution declares that saloon keepers are ineligible to membership in the Order, whenever it is discovered that such inhibited individual has by any means been initiated in the Order, his further progress should be arrested. As he is not eligible to membership he is not qualified to receive any of the degrees.

SALOON KEEPER, BARTENDER AND PROFESSIONAL GAMBLER.

3741. A member of the Order who, when initiated, was in the saloon business as proprietor or as bartender, but failed to make known that fact in his application for membership, when it is ascertained at some subsequent time that he was a saloon keeper or bartender, it is the duty of the Lodge in which he was initiated and in which he holds membership, to prefer charges against him.

3742. A candidate applied for membership in a Lodge of this Jurisdiction, giving his occupation either as a merchant or grocer. After being a member of the Lodge for several months, it is discovered that he is engaged in the saloon business. The Lodge at first refused to prefer charges, but finally did so, and the accused, in his pleading before the Trial Committee, filed the following statement: "First, that it is out of the jurisdiction of the Lodge on these grounds, that he was engaged in the saloon business at the time that he joined the Lodge, and has been a member of the Lodge for twenty-two months or thereabouts, and did not intend to commit a fraud when he made the statement that he was not a saloon keeper, but at that time he held an interest in a saloon, and he was under the impression that the law referred to bartenders. Second, the accused admits the fact that he is a barkeeper, and was at the time he joined the Order, but did not intend to commit a fraud when he joined the Order; it was purely an error on his part." Held that this amounted to a plea of guilty.

3743. A hotel keeper is not a saloon keeper. If there is a bar the license for which is not in his name, and he tends it, he is a bartender and likewise as to a tavern keeper.

3744. A license taken out in a brother's name makes him a saloon keeper. For example, when a brother of the Order owns a Lodge Room rented by an Odd Fellows' Lodge. On the second floor of the building is a dance hall, which he rents with bar privileges. He also rents out a room in the same building for saloon purposes. He claims that it is necessary to take out a saloon license in his own name in order to rent the hall and store room, but says he only gets the rent money. He is a saloon keeper within the meaning of our laws. In the intendment of the laws of the various States in respect to granting of licenses, the license is granted to a person because of his peculiar fitness for the business. It must be assumed, therefore, that when the court granted a license to this brother it had in view these facts, and that he was to be the keeper of the saloon, and to exercise the powers and privileges given by the license. If he procures some one else to do the actual work, it does not change the fact that he is a licensed saloon keeper.

3745. But holding stock in a hotel corporation, in whose hotel there is a bar owned and conducted by the hotel, does not constitute the owner of stock therein a saloon keeper.

3746. Waiters in the dining room of a hotel who serve meals to guests and incidentally serve liquors, cannot be classed as bar tenders.

3747. The agent of a brewery, not a dispenser of liquors over a bar. The manager of a wholesale liquor house. A wholesale or retail grocer who sells liquor in original packages, not to be drank on the premises keeping no bar or side board, or a druggist who sells liquors not for a beverage, are not saloon keepers or bar tenders. A driver for a wholesale liquor house is eligible to membership in the Order.

3748. A member who violates the penal laws of a state or country in respect to gambling is guilty of conduct unbecoming an Odd Fellow, and is amenable to the laws of the Order.

3749. A clerk in a pool room is a professional gambler within the meaning of the prohibition.

[NOTE.—This does not refer to a Pool and Billiard room. A Pool, as used in this law means the combination of a number of persons, each staking a sum of money on the success of a horse in a race, a contestant in a game, etc., the money to be divided among the successful betters according to the amount put in by each. It also means the money staked, or the right to stake the money.]

SALOON KEEPER, BARTENDER AND PROFESSIONAL GAMBLER.

3750. When the holder of a Dismissal Certificate who has been a saloon keeper continuously from a period prior to the enactment of the Sovereign Grand Lodge, applies for membership and conceals the nature of his business from the Lodge and is admitted, he is liable under the amendment, and the penalty upon conviction would be expulsion.

3751. A man who owns or controls a hotel in which there is a bar is a saloon keeper, and if he attends the bar he is a bartender.

3752. A brother who was a partner in the saloon business prior to January 1, 1896, and who afterwards buys his partner's interest, does not violate the law by such purchase.

3753. If a member entered into the saloon business after the prohibitory legislation on that subject by the Sovereign Grand Lodge, and while engaged in that business, and as a consequence thereof he became injured. Under the legislation of the Sovereign Grand Lodge on the subject of saloon keeping, and the decisions under that legislation the engaging in such business by an Odd Fellow must be assumed to be immoral conduct, and if an ailment or injury is received in or consequent upon such business he would not be entitled to benefits.

3754. The question of granting a Withdrawal Card to a brother who becomes engaged in the saloon business depends upon the discretion of the Lodge.

3755. If one who owns a saloon becomes initiated into a Lodge, his initiation is illegal, but his membership must be recognized until terminated in a manner provided by law. It is the duty of the Lodge to terminate his membership unless the brother has since retired or shall retire from the business or shall voluntarily resign his membership.

3756. A brother resigning membership, and engaging in the saloon business, who subsequently retires from such business and seeks membership in his former Lodge or in any other Lodge as an Ancient Odd Fellow, may be received or rejected, as the Lodge may determine.

SANITARIUM.

See Appropriations. *See* Funds.

3757. A nervous affection necessitating treatment in a sanitarium, entitles a member to sick benefits.

3758. The question was asked, We have a brother who is in a sanitarium for consumptives. Should we pay him benefits? Answer. Yes, It is manifest that the brother cannot follow his usual occupation while a patient in the sanitarium, and is therefore entitled to benefits.

SATISFACTORY EVIDENCE OF FORMER CONNECTION WITH THE ORDER.

See Cards.
Admission to the Order.
Investigating Committee.
Ancient Odd Fellow.
See Resignation.
Evidence.
Application for Membership.

3759. Satisfactory evidence of former connection with the Order within the meaning of the law must come from the Lodge of which the brother was formerly a member, or in the event of such Lodge being inaccessible by reason of its being defunct or otherwise, then from the Grand Body under whose Jurisdiction the subordinate existed and should neither of these be accessible or obtainable then such evidence shall be regulated by the Grand Lodge. Should the applicant fail to meet these requirements he may make petition for admission into the Order by initiation, as would be required of a new applicant for original membership.

SATISFACTORY EVIDENCE OF FORMER CONNECTION WITH THE ORDER.

3760. If an applicant can establish his claim to be considered an Ancient Odd Fellow and can prove himself in the initiatory work, he is not required to be reinitiated in the Order.

3761. A brother who has withdrawn by card, which has been lost or destroyed, and who is unable to get a duplicate, on satisfactory proof of former membership, may be readmitted as an Ancient Odd Fellow, and will be entitled to the rank he may prove himself as having attained. Any such person shall be required to set forth in his petition for membership that he has never been suspended or expelled from any Lodge and that he is unable to obtain evidence of his former connection with the Order.

SEAL.

3762. A Lodge is justified in refusing attention to documents from another Lodge not attested by its seal.

3763. Lodge communications, with the seal and signatures of the officers attached, must, under all circumstances, when mailed, be enclosed in sealed envelopes; and where unsealed communications of such character are received by Lodges, they must be regarded as unofficial.

3764. All documents emanating from a Lodge require the impress of its seal for their authentication.

3765. The seal of a Lodge should be used only to authenticate its official correspondence and action. It is not proper to impress the seal upon letter envelopes or postal cards. The sending out of circulars with the seal thereon, in open envelopes is prohibited.

3766. The seal of the Lodge, to be authentic, must be printed or impressed upon the instrument it is designed to authenticate, and not affixed thereto.

3767. There is nothing illegal in the use of the seal of a Lodge in authenticating documents ordered or authorized by the Lodge, provided such seal be used by the proper officer thereof, as in the case of certificates, resolutions of thanks, etc., even although not in correspondence purely within the Order.

3768. It is legitimate and proper for Subordinate and Grand Lodges to use a printed impression of the seal on official documents when it is not convenient to actually impress it. While it is legal to print the Lodge impression of the seal upon official certificates or other legal documents appertaining to Lodge business, it is subject to the proviso that the printed seal is the adopted seal of the Lodge.

3769. The seal of a Lodge should only be used in transacting the legitimate business of the Lodge.

3770. Cutting a copy of the seal from a letter heading and pasting it on a communication, is not a legal sealing of the paper.

3771. Officers of a Subordinate Lodge have no power to use the seal of their Lodge, unless they are ordered to do so by the Lodge, or unless it be done in accordance with a positive enactment of the Grand Lodge or Sovereign Grand Lodge.

3772. The seal of a Lodge is in the official care of the Secretary. He has no right to use the same except as authorized by his Lodge, or in the legitimate business of the Lodge, when it may be necessary to use the seal.

3773. An order for the Pass Word to be communicated to a brother must be under the seal of the Lodge.

3774. All cards and certificates of each kind relating to membership or visitation, which are intended as an acknowledgment of payment of dues or relief, must have the seal of the Lodge attached, or they are of no value.

SEAL.

3775. The Sovereign Grand Lodge will not recognize as an official paper a mere printed pamphlet, purporting to be the proceedings of a Grand Body without authentication by the seal and signatures of the Grand Officers of the Grand Lodge.

3776. Grand Bodies are hereby required to expel from their own membership, and Subordinate Lodges to expel from the Order, any member thereof who shall attach to any chart, certificate, diploma or other document any copy or impression of the seal of the Sovereign Grand Lodge, or of the seal of any Grand or Subordinate Lodge of which he has not the official use and custody.

3777. Where a Lodge has two Secretaries, the Recording Secretary has the custody of the seal. In the Installation Ceremony the seal is put into the hands of the Recording Secretary. He is the only one authorized to use it and he alone can officially attest anything for or on behalf of the Lodge.

SECOND TRIAL.

(a). For Same Offense. (b). For Benefits.

(a). For Same Offense.

3778. There can be no second trial and conviction by the Lodge for the same offense. A brother having once been put upon his trial and a penalty imposed, cannot again be called upon to defend against the same charge.

3779. A brother was convicted upon charges and a penalty of reprimand imposed and inflicted. At a subsequent meeting the Lodge voted to set aside the penalty because of an alleged irregularity in voting, and thereupon expelled the brother. Held that such expulsion was void. The lodge was estopped from reopening the case, as its Jurisdiction was exhausted even if there had been an irregularity in the balloting, as the Lodge could not take advantage in such case of its own wrong.

3780. The action of a Grand Lodge on an appeal by a brother expelled by his Lodge is final and conclusive, no appeal being taken to the Sovereign Grand Lodge. The Grand Lodge cannot, at a subsequent session, reopen the case and again hear and determine it.

3781. In such case, when an appeal is taken to the Sovereign Grand Lodge, which appeal is sustained and the Grand Lodge directed to restore the appellant to membership, the Sovereign Grand Lodge cannot, at a subsequent session reopen and again consider the case.

3782. A new trial may be ordered by the Grand Lodge, or by the District Appeal Committee or by the Committee on the State of the Order, under the appeal procedure as that, or an acquittal, is the substantial purpose of the defendant's appeal.

3783. Where an appeal is taken by the prosecutor from the action of a Lodge dismissing charges another trial can be legally had when such appeal is sustained. In such case when a member was expelled on a second trial, such expulsion is valid.

3784. When a brother of a Subordinate Lodge had been suspended or expelled and appealed from the decision of his Lodge to his Grand Lodge on the ground of "informality or want of fairness," the Grand Lodge has not the power to grant a new trial unless informality or want of fairness be shown on the former trial or new testimony be discovered.

3785. Where the Committee reported the record very incomplete "and inasmuch as substantial injustice may be done a worthy brother" and recommended that a new trial be granted. Held that a new trial should be granted.

SECOND TRIAL.

(b). For Benefits.

3786. The By-Laws of a Lodge provided that in cases of doubt as to the right of an applicant for benefits, the question of sickness or disability should be referred to one or more respectable physicians, to be appointed by the Lodge and that their decision should be final. The case of an applicant for benefits was so referred and the physicians decided that the applicant was not disabled. Two or three months afterward, he again applied for benefits and presented the certificate of ten reputable physicians, including the two who had first examined the case certifying that he was then disabled. The Lodge refused to reopen the case or take new evidence, claiming that the brother was in the same condition as when first examined, and that it being the same sickness he was not entitled to benefits. Held, that the Lodge should have re-examined the case, and if the disease he had when first examined had so far developed as to render him disabled he was entitled to benefits and that the former examination was only final as to his then condition. The Lodge was directed to pay him benefits from the time of his last application until such time as, on an investigation by the Lodge, of which he should have notice, the Lodge should determine that he had so far recovered as to be able to pursue his usual business or otherwise earn a livelihood. Held, also, that his claiming too much did not debar him from receiving his dues.

3787. A brother was on the sick list, and the Lodge, without notice, appointed a committee to inquire into the state of his health; they made inquiry *ex parte*, and upon their report the Lodge ceased to pay benefits. Charges were then preferred for receiving benefits when not sick and he was acquitted after trial, but the committee reported him not entitled to benefits. He had not been reported well except by this committee. Certificates were presented showing the brother to be suffering from an organic disease of the heart, which incapacitated him from performing manual labor. Held, that the Lodge must reopen the case and give the brother an opportunity to be heard.

3788. Charges were preferred against a brother for representing that he was unable to do work of any kind, alleging that he had been assisting his wife in doing housework and in the tailoring business," and on the trial he was acquitted. Held, that having been acquitted of the charges he was entitled to the benefits withheld on account of the charges.

3789. A brother applied for benefits, and an investigation was made by two physicians appointed by the Noble Grand in accordance with the By-Laws. The physicians reported against the claim and the Lodge refused to pay the benefits and no appeal was taken from the refusal. Over a year afterwards a claim was made for two weeks' benefits and refused. No appeal was taken from this refusal. About two months after this the brother made application for benefits from a period anterior to the first refusal and produced certificates from physicians showing a *prima facie* case entitling him to benefits, when the Lodge, on the certificate of the physicians made on behalf of the Lodge nearly two years before, again refused to pay benefits. Held, that the Subordinate Lodge should further investigate the claim for benefits.

3790. The law of a Jurisdiction provides that "no appeal relative to the non-payment of benefits which may be due or claimed from a Lodge shall be acted on, when it appears that more than six months have elapsed from the time the benefits have accrued, or claimed to have accrued, and the filing of the appeal." A brother claimed benefits which were refused him, and he appealed therefrom. The appeal was pending over a year, and in the meantime, although he claimed to have been continuously disabled and entitled to benefits, he neglected to appeal again from the refusal of the Lodge to pay the benefits. Held, that the statute of limitations operated to cut off all benefits six months prior to any appeal, and that in all cases of continued sickness or disability under the law in question, when the brother intends to claim benefits while his appeal is pending, he should, at the end of the limited time, make a new demand and upon his Lodge again refusing payment, he must again appeal.

SECRECY.

See Ballot. *See* Election for Officers.

3791. The general obligation of secrecy refers primarily to ritualistic and to such other matters as should not be spoken of to those not members of the Order. It does not prohibit a brother from speaking of Lodge business to a member of the Lodge not present at a Lodge meeting.

3792. The law does not prohibit the printing of such extracts from the Lodge's minutes judiciously selected with reference to the general obligation to secrecy, as may be necessary to the presentation of a brother's case or argument on appeal. But while in preparing that which is technically known as a paper book (or a printed abstract of the case and argument), considerable liberty should be allowed so that all the necessary facts could be made known. Nevertheless, there is a limit to this liberty, and he who steps over the line becomes himself a transgressor.

3793. The obligation cannot be used in evidence in a court of law against a member in his suit against his Lodge.

3794. A brother endeavoring to ascertain the names of those voting for officers where written ballots were used is not guilty of any offense under our laws. It is otherwise with respect to balloting on candidates for admission.

SECRETARY.

(a). Duties of. (b). Mistake of.

See Salary, Dues, Cards, Official Certificate, Good Standing.

(a). Duties of.

3795. It is the duty of the Secretary to be present on every meeting night whether there is a quorum present and a meeting held or not, and credit those brothers who pay their dues upon the night that they are received, otherwise they would sometime get in arrears through no fault of their own.

3796. A brother does not have to serve a term in some subordinate office before he is eligible to the office of Secretary. Any third degree member in good standing is eligible to the office of Secretary in a Subordinate Lodge.

3797. A brother may lawfully be elected to the office of Recording Secretary upon the night he receives the third degree.

3798. Where two Secretaries are elected by the Lodge, their titles must respectively be Recording Secretary and Financial Secretary.

3799. A law requiring service for one term as Recording Secretary as a qualification for Vice Grand is illegal.

3800. In the installation ceremony the seal is put into the hands of the Recording Secretary. He is the only one authorized to use it, and he alone can officially attest anything for or on behalf of the Lodge.

3801. Where a Lodge has two Secretaries the Finincial Secretary signs the Official Certificate or card or endorses thereon all required information concerning the brother's good standing or otherwise. The Recording Secretary must affix the seal and endorse on the card the information concerning the benefits to which the brother would be entitled in case of sickness or death.

3802. As to the offices of Secretary, Recording Secretary and Financial Secretary of Lodges so far as correspondence and business with these respective officers is concerned, the officers to be addressed and communicated with can easily be determined by the character of the business under consideration.

SECRETARY—Duties of.

3803. The question was asked is it the duty of the retiring Secretary to deliver the books and money into the hands of the new officers until they have been audited? Answer. They should be audited before the transfer is made.

3804. The Secretary of a Lodge, as an officer of the Lodge, is bound as such to present all communications addressed to him as such to the Lodge in its regular order of business, and they become the property of the Lodge.

3805. If there is no quorum on a regular meeting night, and the Secretary and a few brothers are present, the Secretary is to take a brother's dues and give him credit on the books on that night. The Secretary has a right to receive a brother's money for dues upon a regular meeting night, even though no quorum be present, and give him credit accordingly. If such were not the case the brother might become in arrears before the next meeting night, and no brother who is present should suffer on account of the absence of others.

3806. He shall, upon the election to membership of a brother transferring his membership under the Transfer of Membership Law, at once notify the brother's Lodge of the action of this Lodge, and apply for Withdrawal Card, and his signature to the communication and the seal of the Lodge shall be sufficient authority to the member's Lodge to grant the necessary severance of membership.

3807. A Secretary has no right to withhold a card which has been granted by his Lodge, and for doing so he is liable to arraignment, even if the responsibility be assumed on alleged discovery of crime on the part of the intended recipient.

3808. Upon an officer entering the Lodge after roll call, he should report himself to the Secretary as present, whose duty it is to make a minute of such officer's presence on the Book of Records.

3809. A Secretary has no right to credit himself with his dues without authority of his Lodge, though the Auditing Committee pass his accounts and report them correct.

3810. It is the undoubted meaning and intent of the law that the Secretary should pay to the Treasurer all money in his hands forthwith; that is at each Lodge meeting. There can be no possible authority for the Secretary retaining the funds of the Lodge in his possession; if he fails to pay them to the Treasurer each meeting night, the Treasurer should then demand the same from him at the close of each meeting and if on demand he refuses to pay the money to the Treasurer, it would be good grounds for the Lodge to suspend him from office, as he would then undoubtedly be refusing to perform a very important part of his duty as Secretary.

3811. He shall, in making up the Annual and Semi-Annual Reports, refer to the book of abstracts of previous Reports, to ascertain the number of members reported, add the gain and deduct the loss of the current term, to show the present actual number of members. The money that has been advanced to members of other Lodges for sick benefits and that will be refunded, is not to be included in the Relief Report made to the Grand Lodge. Money that has been received by the Secretary from the disposal of investments, is not in the report to the Grand Lodge, to be included in the receipts, nor is money invested in mortgages, stock, building associations, or in any other mode of investing money to be included in the expenditures or working expenses of the Lodge. In the Grand Lodge report contributions for charitable purposes must be included in the amount reported as "Special Relief."

3812. The Secretary shall keep a record of the names of the brothers receiving the degrees and the date at which each degree has been conferred.

3813. The Secretary must close his accounts with the closing of the Lodge, on the last stated meeting night of March and September respectively,

SECRETARY—Duties of.

so that his report be made out and accounts audited before installation night.

3814. It shall be the duty of the Scribe of each Subordinate Encampment to furnish to the Secretary of each Subordinate Lodge, a list of the members of said Lodges who are also members of such Encampment. Secretaries of Lodges are required to keep a register of the members of their respective lodges who are members of Encampments, and also report to said Encampments respectively whenever a member of the same is suspended for non-payment of dues, withdrawn from, transfers his membership from, is expelled, or in any way loses his membership in the Lodge, or is suspended for cause, and likewise when a brother is reinstated or restored to membership.

3815. The Scribes of Encampments are required to notify each Lodge whose member becomes a Patriarch on admission to the said Encampment, in order to promptly transmit one to the other, reciprocal official notification.

3816. A certificate of the Secretary of a Lodge of which the applicant is a member, with the seal attached, shall accompany all applications for membership made to an Encampment, and it is made the duty of every Secretary to fill out and furnish to any Scarlet Degree member of his Lodge who is in good standing, such certificate upon application therefor.

3817. It shall be the duty of the Recording Secretary of each Rebekah Lodge to furnish to the Recording Secretary of each Subordinate Lodge to which any member of such Rebekah Lodge belongs a list of the members of said Rebekah Lodge, who are also members of such Rebekah Lodge, and thereafter to notify the Recording Secretary of the proper Subordinate Lodge when any brother shall become a member of such Rebekah Lodge; and it shall be the duty of the Recording Secretary of each Subordinate Lodge thus notified that a member or members of his Lodge are members of such Rebekah Lodge, to inform the Recording Secretary of such Rebekah Lodge, without unnecessary delay, of the withdrawal by card, dropping, suspension, expulsion, reinstatement, or restoration of such member.

3818. When a financial officer of a Subordinate Lodge refuses to settle his accounts and deliver all moneys, books and papers belonging to the same over to the Lodge, he cannot of right demand a Withdrawal Card and a Lodge may refuse to grant such card until the brother's accounts are adjusted and the Lodge is satisfied that he is clear of the books and free from all charges of whatsoever kind.

3819. Unless forbidden by the Constitution adopted by the Grand Lodge, for the government of Subordinate Lodges, a subordinate may enact a By-Law fixing the compensation of the Secretary and (if the Lodge so desires and clearly expresses its intentions to do so), providing therein that the salary shall take effect at a past date. But this must not affect salary then received.

(b). Mistake of.

3820. The Lodge is bound by any errors the Secretary may make in informing members as to their financial standing, therefore he should exercise great care in every way in their behalf.

3821. A Lodge is responsible for the error of its Secretary in giving incorrect information to a member of the amount of weekly dues. For example, a member inquired of the Secretary the amount of his dues, and upon being informed by that officer, paid to him the amount stated; after a short time he died, and on a claim being made for funeral benefits the Lodge set up as its only defense to the claim that the member at the time he paid his dues as above, was, in fact, indebted to a greater amount than the sum named to him by the Secretary, which, together with the dues that had accumulated since then had made him

SECRETARY—Mistake of.

non-beneficial. The Lodge must pay the benefit claimed, as it was the fault of the Secretary and not of the brother, that the dues were not paid in full at the time of the last payment by the brother.

3822. A member having paid his dues, took a printed receipt, on the bottom of which was a notice that the dues were one cent per week less than they in fact were. The member thereafter died and was in arrears two cents more than for thirteen weeks and the Lodge refused to pay his benefits for that reason. As the erroneous statement on the bottom of the receipt may have misled the brother so that he was in arrears for two cents more than thirteen weeks, the Lodge should pay the benefits.

3823. A claim for $50.00 due upon the death of a member of a Lodge, which it declined to pay for the reason that the brother was in arrears when taken sick. From the evidence it appears that the brother was taken sick on the 17th day of March, 1891, and died April 19th, 1891. A receipt was given the brother on December 6th, 1890, for $1.50 dues to January 1, 1891, which in fact was an error. There also was given him a certificate, under the signature of the Noble Grand and Secretary pro tem of the Lodge, with the seal attached and dated, certifying that the brother was in good standing and entitled to the Semi-Annual Pass Word for the term. The Lodge produced testimony of witnesses endeavoring to show that the brother knew of his standing in the Lodge by claiming that they had conversations with him where he voluntarily admitted this, but the Committee on Appeals held that this evidence should not be considered as the brother is dead and cannot contradict them and therefore the testimony should be excluded. The case was appealed to the Grand Lodge where the Appeal Committee was reversed and it was held that the principle stated by the appellant is not disputed and a Lodge is bound by the mistake of its Secretary, if thereby a brother is misled as to his good standing in the Lodge. But that the law is not to be stated so strongly, as to say that if a member, by a mistake of the Secretary, made no matter when, no matter how, is informed that he is clear upon the Lodge books, when such is not the case, the Lodge cannot afterwards set up the mistake to defeat a claim based upon it, for if the brother is not misled by the mistake, it will not avail him, if he knows the mistake to be a mistake, he cannot claim under it, or, if he has been notified of the mistake, he cannot afterwards plead it. In this case, the excluded testimony plainly shows that the brother knew himself to be in arrears for dues and non-beneficial, and none knew better than he, that this payment could not restore him to beneficial standing during the continuation of that sickness. Held, that the Lodge was not responsible for the funeral benefits.

3824. A brother met with a severe accident, by getting his thumb caught in machinery, which disabled him from work. Two days after the accident he was on his road to a Lodge, to get them to report him to his own Lodge, the brother being a resident of another place than his Lodge; he met with a brother, who was going down to the place where the said brother's lodge met, and he said he would report him to his own Lodge that evening, and did so report him to the Secretary; but the Secretary did not report him to the Lodge, it having slipped his recollection, and the Brother was not reported until August 6th, and on the 17th he resumed work. His claim was for three weeks' benefits, which the Lodge refused to pay, deciding he was only entitled to one week, and from this act he appealed. The Lodge was directed to pay the brother the three weeks' benefits claimed, the Secretary admitting that he forgot to report him to the Lodge.

3825. Should the Secretary neglect to credit a member for money paid by him as dues in the Lodge, and the member should thereby get in arrears on the books, the error of the Secretary in keeping the accounts of a member cannot be made to result to his disadvantage and injury, as a Lodge cannot take advantage of its own wrong or that of its officers when acting in their official capacity. He must be credited with the amount that he has proved to have been paid, and on the date of payment.

SECRETARY—Mistake of.

3826. If the Secretary receives money from a member between the sessions and neglects to credit the brother on the books of the Lodge, the Lodge is not responsible for the act of the Secretary during the recess. All dues should be paid in the Lodge room on the meeting night. If, however, the Lodge accepts the money then the payment in the Lodge dates as of the next succeeding meeting of the Lodge, after the payment to the Secretary, even though the Secretary, by absence or neglect, should fail to credit the amount until a subsequent meeting.

3827. When a brother paid his dues the Secretary informed the representative of the brother who made the payment for him in the Lodge, that he then had a credit of 20 cents, this was an error of the Secretary which the brother relying on, became in arrears. Held, that the brother was entitled to benefits.

3828. A claim for funeral benefits was refused by a Lodge for the reason that, at the time of death, sufficient time had not elapsed since the brother received his third degree to entitle him to benefits. It is shown that the brother did not have the third degree the required length of time. It is also shown that the brother was reported sick, and that on September 23rd the Secretary informed the Lodge that the brother was beneficial, and that an order for $5—one week's benefit—was drawn in his favor, and that the same was paid to him Sunday, the 24th, and that he and his uncle, the appellant, were informed that he was beneficial. On the 25th he died. On the morning of the 26th the Secretary informed the Noble Grand that he was in error in stating that the brother was beneficial, when in fact he was not so. The Noble Grand informed the appellant of this on the evening of the 26th. The appellant stated that all arrangements had been made for the funeral The appellant in company with the Noble Grand, visited the undertaker, who informed them that the body had been placed in the casket and that no change could be made. Appellant claims that by being wrongly informed, he was led to contract a larger bill for the funeral than he would otherwise have done; and that, therefore, the Lodge is liable for the error of the Secretary. The Lodge claims that information of the error was conveyed to appellant in sufficient time to have allowed him to materially reduce his expenses, which on appeal, was sustained by the Grand Lodge.

SEMI-ANNUAL PASSWORD.

See Password.
Good Standing.
Noble Grand.
Degrees.
Meetings.
Seal.
Special Sessions.
Warden.

See Conductor.
Right Supporter to Noble Grand.
Visitation.
Grand Lodge.
Entering and Retiring.
Cards.
Official Certificate.

3829. The Semi-Annual Password is determined upon by the Grand Master and he communicates it to the District Deputy Grand Masters, who in turn communicate it to the first two officers of the Lodge.

3830. The matter of the regulation of the Semi-Annual Password is a subject within the jurisdiction of the several Grand Bodies.

3831. Prior to 1847, the Order used a Quarterly Password. In that year the term for Subordinate Lodge officers was changed to six months, and the Quarterly Password was changed to a Semi-Annual Password. Nevertheless it was deemed possible that a Quarterly Password might be of advantage to the Order in securing a compliance with the pecuniary duties of members, the option was therefore given to State Grand Lodges to change the Password quarterly instead of semi-annually, when in their opinion it shall be for the interest of the Order in their respective jurisdictions.

SEMI-ANNUAL PASSWORD.

3832. A member of a Subordinate Lodge who is in arrears for weekly dues or funeral assessments for more than thirteen weeks, is not entitled to the Semi-Annual Password or to vote in the Lodge, but is entitled to visit his own Lodge until dropped, suspended or expelled.

3833. A member who has been in arrears for weekly dues for a period exceeding thirteen weeks, upon paying said arrearages, is entitled to the Semi-Annual Password; provided, he is not disqualified by the penal laws of the Order by being under suspension for cause.

3834. A brother is not justified in refusing to give the Password to a Past Grand acting temporarily as Warden because he has not assumed the regalia of that chair. It is sufficient if the presiding officer recognize him as Warden and give him orders accordingly.

3835. By direction of the Noble Grand the Conductor may assist the Warden in taking up the Password.

3836. An Acting Noble Grand can communicate the Password.

3837. The Noble Grand can authorize the Warden to communicate the Semi-Annual Password to a brother in the Lodge room entitled to it.

3838. The Right Supporter of the Noble Grand, temporarily occupying the Noble Grand's chair, has no right to authorize a brother to confer the term word upon another brother of the same Lodge, to enable him to visit other Lodges.

3839. The Noble Grand of a Lodge has not the right to admit a member belonging to another Lodge in his State Jurisdiction without the Term Password. But when visiting upon an Official Certificate the brother may use the Annual Traveling Password. The Semi-Annual Password not being necessary under these circumstances.

3840. A member has no right to visit a Lodge of which he is not a member on the old Semi-Annual Password, when such Lodge is in possession of the new Semi-Annual Password, after installation, although the old word remains in force or is still good in the Lodge to which he belongs.

3841. An initiate, or a member lower than the Third Degree, is an Odd Fellow and is entitled to admission into his Lodge when opened in a degree to which he has attained, the brother is, therefore, entitled to receive the Semi-Annual Password.

3842. On the examination prior to the opening of the Lodge, the Noble Grand being the custodian of the Password, should communicate it to the Warden.

3843. If the visiting brother present an Official Certificate or Visiting Card showing dues paid to a later date than when presented and properly executed, the Noble Grand of any Lodge, if the visiting brother be from the same Jurisdiction, and he passes a satisfactory examination, shall communicate to him the Semi-Annual Password of the Jurisdiction.

3844. There can be but one Semi-Annual Password in force at a time, and a brother of this Jurisdiction presenting a card bearing a date which extends to a date later than when presented or an Official Certificate showing dues to have been paid to a date in advance of its presentation, is entitled to the Semi-Annual Password then in force.

3845. A member in good standing, residing at a distance from his Lodge, but in the same Jurisdiction, is entitled to the Semi-Annual Password; and it is the duty of the Noble Grand of the Lodge to which the brother belongs upon proper application being made, to request the Noble Grand of the nearest Lodge to the brother's abode, to impart unto him the Semi-Annual Password. This is, however, not generally used as it has practically fallen into disuse by later legislation concerning the communication of the proper Password on presentation of a Visiting Card or Official Certificate.

SEMI-ANNUAL PASSWORD.

3846. It is competent for the Noble Grand of a Lodge to give the Semi-Annual Password to a brother of another Lodge upon the written request of the Noble Grand, under seal of the Lodge of which said brother is a member. The law only applies, however, to the Noble Grands in the same Jurisdiction and not in different Jurisdictions.

3847. The Noble Grand and Secretary of a Lodge may issue an order for the Semi-Annual Password which will extend beyond their term of office and be good up to the time the brother is entitled thereto according to the date to which he has paid his dues.

3848. When a Noble Grand receives a request from another Lodge to communicate the Semi-Annual Password to one of its members, he shall, in the first place, satisfy himself of the personal identity of the member. He shall then require the member to prove himself in the unwritten work of the Order, before he communicates the Password.

3849. The following form of request to communicate the Semi-Annual Password may be used:

.....Lodge No.
.....19..

To the Noble Grand of any Lodge in the Jurisdiction of Pennsylvania
I. O. O. F.

Sir and Brother:

The bearer, Brother, who is a member in good standing in Lodge No., I. O. O. F., of this Jurisdiction, is entitled to the current Semi-Annual Password which please communicate to him on presentation of this order at any time prior to 19...., and after proper identification and examination, whereupon you will retain or destroy this letter.

Thanking you for your fraternal kindness and courtesy in this matter, we are

Yours Fraternally,

.....Noble Grand.

Attest. Secretary.

(Seal)

3850. A brother presenting an Official Certificate showing dues to have been paid to a date prior to the date of such presentation or Visiting Card, which does not extend to a date later than when presented, is not entitled to receive any Password from or visit a Lodge. Inasmuch as a brother in this Jurisdiction is by law entitled to all the rights and privileges of membership until he is delinquent in the payment of his dues for over thirteen weeks, and is thus entitled to the Semi-Annual Password, therefore, if visiting in the same Jurisdiction and in good standing, although his Official Certificate shows that the dues have not been paid up to the date of visit, nevertheless, a properly executed order for the current Term Password would, within thirteen weeks of the date of its expiration, authorize the Noble Grand of any Lodge in this Jurisdiction to communicate the Semi-Annual Password to the brother, independently of the conditions of his Official Certificate.

3851. The officers of Subordinate Lodges shall not be installed nor furnished with the Semi-Annual Password unless the reports, returns and moneys due from such Lodges to the Grand Lodge be actually made and placed in the hands of the Grand Secretary or be actually in transit to him.

3852. A member sixty years of age who has been a contributing member for twenty-five consecutive years, cannot be suspended for non-payment of dues, but shall be retained on the roll as a non-contributing member, and as such is entitled to the Semi-Annual Password and fellowship of the Lodge.

SEMI-MONTHLY MEETINGS.

3853. Semi-monthly meetings of the Subordinate Lodges are contrary to General Law. The Grand Lodge may when it is deemed beneficial, permit its subordinates to meet once in a fortnight, making the term twelve months; but lack of interest, instead of being diminished, would naturally be increased by fewer meetings, and the dissolution of the Lodge would be hastened with two-fold rapidity. The necessary extension of the term to twelve months would make it difficult to induce members to accept the principal offices, and serve upon the Relief Committee, when it would take three years to qualify for and pass the chairs; the sick brethren would not probably be properly attended to, the office work of the Lodge would be considered burdensome and be avoided.

SICKNESS.

See Presumption.

3854. The term "sickness" as used in the Order, implies that state of health which prevents one from attending to his ordinary vocation. This is settled by the general language used in reference thereto in the rules and regulations of the Lodges in the different Jurisdictions, and in those of the proceedings and enactments of the Sovereign Grand Lodge. One who is not so afflicted as to prevent attendance on ordinary business, though laboring under a peculiar disease which would eventually terminate his life, cannot be regarded as a sick man entitled to benefits. The Grand Lodge cannot vary the above definition of "sickness" given by the Sovereign Grand Lodge.

3855. The sickness suffered by a brother who is non-beneficial is no charge against his Lodge.

3856. In case a member has neglected to pay his dues for such length of time as to be debarred by the rules of his Lodge from drawing benefits while sick, he cannot be permitted, while he continues sick, to come in and pay his dues so as to entitle himself to benefits during that sickness.

3857. While a member was in arrears for dues and not entitled to benefits he was shot and in a few hours died. After the accident and before he died, the amount of his dues was presented to the Secretary of his Lodge and accepted by that officer. This was not during a Lodge meeting, but the Secretary afterwards gave credit for the amount, and the Lodge, assuming that this payment placed the deceased in good standing, granted his family funeral benefits. Held, to be error.

3858. A Brother was reported sick, and being in arrears, was non-beneficial. His dues were paid while he was sick. He thereafter died, but there being no creditable testimony to show that he recovered from the first sickness before his death, his widow was held not to be entitled to benefits.

3859. Insanity, total blindness, and total paralysis have been declared to be *prima facie* beneficial sicknesses.

3860. A brother who by sickness or accident has become blind has become *prima facie* entitled to benefits, although in other respects his bodily health may be good. Of course, if such brother has or can reasonably obtain an occupation whereby he can make a living, he would not be entitled to benefits. This, however, cannot be presumed but must be made to appear.

3861. Age and indigence alone are not *prima facie* beneficial sicknesses.

3862. A Lodge has no right to initiate a person with a chronic disease, say consumption, upon the applicant's signing an agreement not to claim benefits in consequence of sickness or disability from such disease. Our Order is beneficial and our laws require that benefits be paid in case of sickness to the rich as well as to the poor, and the brother having been initiated under such agreement regularly and without fault is entitled to the same care, kindness and benefits when sick as other members. The agreement being void would not release the Lodge from the obligation to pay benefits,

SICKNESS.

nor would the brother be liable to trial and expulsion for a violation of his agreement not to receive them.

3863. A brother was sick from a disease he contracted in the army before he became a member. He stated at the time of his admission that he was not suffering from any disease. An affidavit upon which he procured a pension from the United States Government was produced in which he testified that the disease was contracted in the army during the war. Held, that his affidavit was sufficient to show that he knew at the time he was admitted that he was suffering from such disease and benefits were denied him. When, however, it was found as a fact that the claimant honestly thought he was in sound health when he applied for admission, and he testified "that he considered his health at that time as good as ever in his life," which testimony was uncontradicted, he was entitled to benefits.

3864. A member joined the Order in 1871, and represented himself to be in sound health. His application for a pension as a soldier of the Civil War was filed October 31, 1864, alleging disease of the eyes. The application was granted, May 21, 1881, allowing back pay to date of application. His pension was increased May 3, 1890; August 25, 1897; January 6, 1900; and January 21, 1904. In the winter of 1894-1895 his left eye became so much inflamed that it was removed and his Lodge paid him benefits for sixteen weeks. In 1903, the brother became totally blind; his Lodge paid him two weeks' sick benefits and then refused further payments on the ground that his disability was from a cause which existed prior to his becoming a member of the Order in 1871. It was held that he was entitled to the benefits. The distinction between unsound health and physical infirmity has been before the Sovereign Grand Lodge upon several occasions, and it has been fully and well established that by the General Law a physical infirmity which does not impair a man's ability to follow his usual vocation and does not affect his health of body is not a bar to his admittance to the Order.

SLANDER.

3865. Circulating among the members of the Lodge false and malicious slanders, to the injury of a brother's character as a member and officer of the Lodge and a citizen of the Commonwealth, is an offense that is cognizable by the Order. In a certain case the slander, which was of a most serious and damaging nature, is fully proven by the evidence, a part of which is an agreement between the accuser and the accused, in which the first asks the Committee on Charges to withdraw the same in consideration of a paper signed by the latter, stating that he never claimed that the said slanders were truth, and that he himself did not believe them. The Lodge refused to receive this agreement, and the case proceeded to trial. He was found guility by a majority report of the Committee, and was suspended for six months.

SMOKING.

3866. Smoking in the Lodge room is forbidden. It lowers the tone and dignity of a Lodge and is very offensive to those who do not smoke; the feelings of those brothers should be respected, and Noble Grands, under their prescribed obligation to "preserve order and decorum in the Lodge," should rule with firmness that smoking in the Lodge room is a "breach of decorum."

SOCIAL CLUB.

3867. A purely social club or organization having no other object or purpose and composed of the Order only and using no emblems and no work of the Order and not paying benefits and not claiming to be a part of Odd Fellowship would not be a violation of the laws of the Order.

3868. The Grand Master has no right to permit the use of the name of the Order in the formation of an Odd Fellows' Bowling League to be composed of teams to be selected from the various Lodges, etc., under the law the name of the Order can not be used in connection with such an organization.

SOLDIER—SAILOR.

3869. A soldier permanently stationed at any point *ipso facto* acquires such a residence there under the laws of the Order as makes him eligible to membership in a Lodge at a place where he is so stationed.

3870. Persons in the military service of the United States who have been continuously stationed at one post for the space of six months or more may make application for membership in our Order, provided they apply to the nearest Lodge or otherwise comply with the laws of the Jurisdiction in which the application is made.

3871. Either a soldier or a sailor, a member of the Order, sick in a hospital, if in good standing, and there supported by the Government, is entitled to benefits.

SOVEREIGN GRAND LODGE.

See Grand Sire, General Law, Local Law, Work.

3872. The Sovereign Grand Lodge has supreme Jurisdiction over the Work of the Order in all its departments and all Subordinate Lodges in this Jurisdiction are bound to use the regular forms and ceremonies, with such discretionary alterations only as are allowed by the existing laws of the Sovereign Grand Lodge.

3873. The Sovereign Grand Lodge is the source of all true and legitimate Odd Fellowship in the United States of America and possesses such powers and Jurisdiction over the whole Brotherhood as are provided in the Constitution and Ritual of the Order. Its authority extends also to such Lodges and Encampments as may be organized under its charter in foreign countries.

3874. The Sovereign Grand Lodge is composed of the following members, to wit. A Grand Sire, Deputy Grand Sire, Grand Secretary, Grand Treasurer, Grand Chaplain, Grand Marshal, Grand Guardian, Grand Messenger and Grand Representatives from the several State, District or Territorial Grand Lodges and Grand Encampments working under legal, unreclaimed charters granted by the Sovereign Grand Lodge.

3875. Every Grand Body has one Grand Representative; if it has over one thousand members in its subordinates, it has two Grand Representatives. But no Grand Jurisdiction shall have over two Grand Representatives. A Grand Representative of a Jurisdiction entitled to two Representatives may cast two votes in the absence of his colleague upon all questions except in the election for Grand Officers.

3876. The Sovereign Grand Lodge will neither entertain nor consider any inquiry as to what are the laws or usages of the Order unless the same is brought before it by an appeal from the decision of a Lodge, through the appeal procedure, and where the appellant is a Subordinate Lodge, or is a member of the Order not a member of the Grand Lodge, the record must show the consent of the Grand Lodge to the appeal, nor unless the same be presented by a Grand Lodge or Grand Encampment.

SPEAK EASY.

3877. Any member of the Order keeping an unlicensed house for the sale of intoxicating liquors, in violation of the laws, shall be formally proceeded against, and if found guilty be expelled.

3878. A member who deals in liquors contrary to the penal law of the State or country, is guilty of conduct unbecoming an Odd Fellow, and is amenable to the laws of the Order.

SPECIAL FIVE PER CENT FUND.

See Appropriations. *See* Funds.

3879. Grand Lodges are invested with the power to permit Subordinate and Rebekah Lodges, under their respective Jurisdictions, to set aside five per cent of their receipts for dues as a contingent fund to be expended in the payment of necessary and proper obligations, which every Lodge must meet, and for which purpose a Subordinate Lodge under existing laws cannot expend its funds.

3880. It is necessary for a Grand Lodge to grant permission to create a contingent fund, before a subordinate in its Jurisdiction can thus apply its funds; and in case the Grand Lodge does not take action its Grand Master has no power to grant such permission. Therefore, the Grand Lodge constitution provides as follows: Each Subordinate Lodge may, by its By Laws, set aside five per cent of its receipts for dues, as a contingent fund, to be expended in the payment of necessary and proper obligations, which every Lodge must meet, and for which purpose a Subordinate Lodge under existing leave cannot expend its funds.

3881. The contingent fund, authorized as above, cannot be used for pleasure excursions or the mere gratification of individual members, but may be appropriated for flowers or music at the funeral of a member, carriages, railroad fares, etc., or in such ways as are calculated to advance interest in the Order and its work.

3882. This contingent fund cannot, even under dispensation, be used to pay for a public entertainment or dance, followed by a supper, to arouse interest in the Order.

3883. This contingent fund may be used to pay for suppers where none but members are present, the object being to arouse interest in the Order, and under dispensation, this contingent fund may be used to pay for a public celebration of the anniversary of the Order, with entertainment and banquet following.

3884. The question was asked:—Can a Subordinate Lodge pass a resolution providing that if any of its members enlist in the present war between the United States and Spain, that their dues and assessments will be paid by the Lodge out of the Treasury, so that said members may be kept in good standing until their return home? To which it was answered:—Under our laws a Lodge cannot remit dues, nor can it draw money from its treasury to pay dues for any class of members, no matter how meritorious such members may be; the question, therefore, must be decided in the negative, with this qualification, however, that the Lodge may, out of the five per cent fund which it is authorized to set apart for any purpose it may see proper, pay the dues of any class of its members.

3885. Neither in the laws of the Order or in the rules of justice, is there a single reason why the brothers who pay their dues should be taxed to pay the arrearages of those who do not. The words of the Grand Sire's decision when he says, "A Lodge may set apart a fund for any purpose they see proper and from that pay the dues for any class of its members," can only have reference to those who are meritorious members of the institution, and who, except for some special reason otherwise, would be among the Lodge's best supporters. The very class he has in mind—to wit, the soldiers - clearly proves that he did not thereby expect to place a premium on delinquency and a penalty on good standing. The five per cent. fund cannot be used for this purpose where the intention is that any and every member of a Lodge shall, as a matter of right, have the benefit of the fund to make good his shortage.

3886. An appropriation for flowers for a funeral of a brother is a legal appropriation from the special five per cent contingent fund.

3887. It is not lawful for a Lodge to draw money from its funds for a banquet or entertainment of the Lodge, without a By Law setting aside five

SPECIAL FIVE PER CENT FUND.

per cent of the receipts for dues as a contingent fund, to be expended in the payment of necessary and proper obligations, which every Lodge must meet, and for which purpose a Subordinate Lodge, under existing laws cannot expend its funds, when it may appropriate the money from this fund for this purpose.

3888. A Lodge cannot legally set aside five per cent of its general fund for entertainment purposes. But a Lodge may, by a By Law, set aside five per cent. of the dues for any legal purpose where the general fund cannot be used.

3889. The By Laws may determine whether or not the five per cent contingent fund may be set aside for any particular purpose such as nurse hire.

SPECIAL MEETINGS.

See Meetings. *See* Degrees.

3890. It is not legal or permissible for a Lodge of I. O. O. F., when the anniversary of the Order falls on a week day, to defer the celebration to the following Sunday and hold a meeting private or public for such celebration on such Sunday.

3891. A Lodge cannot hold adjourned meetings, but must close its weekly sessions in due form. If an extra meeting is required, it can be called in the manner pointed out by the By Laws.

3892. If a Lodge shall require a special meeting for any purpose, the constitution for Subordinate Lodges authorizes the Noble Grand to call such a meeting at the request of five members in writing.

3893. The call for a special meeting must distinctly state the business to be transacted, and no business can be transacted except that named in the call, or is a necessary and natural consequence of the business the meeting is called to consider. For example, a Lodge cannot legally draw an order for money at a special meeting, the meeting not called for that purpose, unless the By Laws provide otherwise or the appropriation is a necessity consequent upon the business named in the call.

3894. Where the By Laws are silent on the subject every member of the Lodge must have due and timely notice of a special meeting, or the notice may be such as is fixed by the By Laws. For example, a meeting of a Lodge was called informally and not in accordance with the requirements of law, to receive the Grand Master and listen to his instructions. Held, that the Lodge could not vote money to pay the Grand Master's expense or do any legal business at such meeting.

3895. A By Law of a Subordinate Lodge granting to the Vice Grand the privilege of calling special meetings in the absence from town of the Noble Grand is legal. Without such a By Law, however, the Noble Grand is the only one authorized by the General Laws of the Order to call his Lodge together.

3896. A Subordinate Lodge cannot legally call a special meeting for the purpose of receiving propositions for membership and appointing Committee on character.

3897. On the question if it was lawful for an Investigating Committee to report and a ballot to be taken at a special meeting of a Lodge, it was decided that what the constitution requires to be done at a regular meeting of the Lodge cannot be done at a special meeting, even if the special meeting be called for this particular purpose, unless the constitution also provides that said things may be done at special meetings; therefore, it is not lawful for a Lodge to receive a proposition for membership, hear the report of a Committee on Investigation, or ballot upon an application for membership at a special meeting.

SPECIAL MEETINGS.

3898. It is not legal to ballot on an application, even if called for that purpose, for any degree at a special meeting in the absence of a provision for such special meetings by the Grand Lodge of the Jurisdiction.

3899. By the General Law a Lodge cannot receive propositions or ballot for membership at a special meeting even with the consent of the Grand Master.

3900. A brother cannot be reinstated at a special meeting nor without application, reference and report, as in other cases.

3901. While a candidate's application for membership must be received and acted upon at a regular meeting, his initiation may take place at a special meeting called in accordance with the By Laws.

3902. The three degrees, or either one of them, may, in due course be conferred at a special meeting or meetings called for that purpose.

3903. Any member of a Subordinate Lodge has the right to protest and to have his protest spread upon the minutes, and this is so in respect to a special meeting.

SPECIAL SESSIONS.

3904. The nomination of candidates for the several elective offices shall be made in open session of the Grand Lodge at a special session thereof held in the city of Philadelphia on the evening of the Monday preceding the third Tuesday of November, of which session each Lodge shall receive due and timely notice. At this session nominations may be made by any Past Grand of this jurisdiction in good standing, either by word of mouth at the meeting of the Grand Lodge, or by a letter or other written nomination received by the Grand Secretary prior to the meeting, and no member not so nominated shall be eligible, except as provided in the Grand Lodge constitution. No other business can be transacted at this session except the admission of Past Grands to membership in the Grand Lodge.

3905. By the General Law the Grand Lodge may hold special sessions as often as may be deemed necessary in this Jurisdiction to give instructions in the unwritten work of the Order, and to confer the Past Grand's and Grand Lodge Degrees.

3906. By the Local Law such special sessions limited may be held at such places within the Jurisdiction as may be determined by the Grand Master, unless otherwise provided by the Grand Lodge.

3907. At such sessions no business shall be transacted other than is provided for in the foregoing paragraph.

3908. The Grand Master, the Deputy Grand Master or the Grand Warden and the Grand Secretary shall be required to attend such special sessions, but it shall not be obligatory on any other officer or Lodge Representative to attend.

3909. Either the Grand Master or the Deputy Grand Master or the Grand Warden with the Grand Secretary, can hold a session; that is, either one of the first three named and the Grand Secretary are sufficient so far as officers are concerned. Of course, a quorum under the law is requisite.

3910. Any Past Grand of this Jurisdiction being in good standing may attend a special session, limited, and five Past Grands shall constitute a quorum for the transaction of the business of such meetings or special degree sessions.

3911. Past Grands from any part of the Jurisdiction and entitled to membership in the Grand Lodge shall be privileged to attend and receive the degrees and instruction to be given by the Grand Officers. Provided, of course, that they severally produce the necessary Past Grand's certificate signed by the officers of their respective Lodge, with the Lodge seal, and have the Semi-Annual Pass Word.

SPECIAL SESSIONS.

3912. In case of the absence of an elective or appointive Grand Officer his place shall be supplied by an appointment to be made pro tem by the presiding officer.

3913. Special Sessions for the admission of Past Grands to membership in the Grand Lodge and for instructions in the work and principles of the Order may be held in any district in the jurisdiction upon the call of the Grand Master, of which meeting every Lodge in the District shall be given due and timely notice.

3914. The following is the form of the call issued by the Grand Master for a Special Session of the Grand Lodge to admit Past Grands to membership in the Grand Lodge.

Philadelphia, 19

To the Subordinate Lodges; Fraternal Greeting.

A Special Session of the Grand Lodge of Pennsylvania will be held by, Grand Master, and other officers of the Grand Lodge, at each of the following places, on the dates named, at.....o'clock in the evening, for the admission of Past Grands to membership; and a Lodge of Instruction for Third Degree members will be opened at each place at.....o'clock in the evening.

* * * * * * * * * * *

Secretaries will please give due notice of the Special Session and notify the Past Grands of their Lodges and furnish them with properly authenticated Past Grand's Certificates if they have not previously been admitted to membership in the Grand Lodge and received the Grand Lodge Degree; for without said certificates no Past Grand can, under any circumstances, be admitted to membership in the Grand Lodge. The Grand Officers cannot override the Constitution nor violate their obligations.

Blank Past Grand's Certificates can be had upon application to the undersigned by the Secretaries of Lodges.

Fraternally yours,

.....

Grand Secretary.

SPURIOUS BOOKS.

See Printing and Publishing, Work.

3915. Usually once or twice a year officers of Lodges receive numerous circulars advertising books professing to be of great service in giving the work of the Order, especially the degree work, that the books are published by the authority of the Grand Lodge, and are approved by eminent brothers and guaranteed to be absolutely correct, etc.; and some of the younger brothers, anxious to excel in the knowledge of the work, have been deceived by these pretentions into buying such spurious books. The Grand Master has repeatedly put our brothers and Lodges on their guard against this scheme to impose upon them, and accordingly issued circulars to be used in all the Lodges, in which was recited the action of the Sovereign Grand Lodge, and the proclamation of the Grand Sire thereof, with directions that books of this character should be immediately destroyed, and Noble Grands were directed to prefer charges against brothers failing to do this, who, upon conviction, must be expelled from the Order. In most cases where brothers have been informed of the law, they unhesitatingly destroyed the proscribed books.

3916. The Lodges in this Grand Jurisdiction have been deluged with circulars setting forth the excellence and usefulness of certain publications professing to give the work of the Order, and pretending to be endorsed by some of its eminent members. It is needless to say that these publications are sold by parties who are enemies to our Organization, whose professed friendliness and helpfulness to the officers and members of our Lodges, is to beguile them into buying books sold at a profit, which enrich their publishers at the expense of those whom they have deceived. Not only is the use, or having in possession any such work, absolutely prohibited under proper and severe

SPURIOUS BOOKS.

penalties, but the same is based on error, is misleading and injurious, and will only work evil and mischief to those who have them.

3917. Secretaries and officers, or other members of Lodges receiving circulars advertising such publications are directed and required to immediately destroy them. They are not to be read in the Lodge. Members having such publications in their possession are required to destroy them at once. Failing to do this, the Noble Grand must prefer charges against such members, who, upon conviction, must be expelled from the Order. Lodges refusing or neglecting to do their duty in this respect, are liable to be suspended and have their charters recalled.

3918. The Sovereign Grand Lodge alone has the authority to regulate the work of the Order, and to issue such instructions relating thereto, as are necessary for the information of the membership. Whatever comes from any other source, or through other channels than the Grand Officers, is spurious, false and misleading, and will work only evil and mischief to those who have them. The Sovereign Grand Lodge has, therefore, enacted, "Any member of the Independent Order of Odd Fellows who shall compose, write, print, sell, exhibit, use, or have in his possession, or who shall in any way aid or abet in composing or writing, or printing or exhibiting, or using any publication, or writing, or other device purporting to be the Unwritten Work of Odd Fellowship, or any part, abbreviation or memorandum of such Unwritten Work, shall be deemed guilty of conduct grossly unbecoming an Odd Fellow, and shall, upon conviction, be expelled from the Order." The above law was sent to all the Lodges in this Jurisdiction, by a Proclamation issued by Grand Sire White, in 1887, which concluded with the following paragraph:—"A very large number of members, have been initiated since its enactment, and but a small percentage of the other members are aware of its existence. All persons in authority are urged to promulgate it to the organizations under their charge, and to see that it is rigidly enforced. It will be observed that it is an offense against the law of the Order to have in possession, or use, or in any way abet the using of the prohibited publications, and they should at once be destroyed."

STAY OF PROCEEDINGS.

3919. When the charges against a brother bear upon his right to benefits, they suspend the payment thereof until a final decision.

3920. Charges were preferred against a brother for representing that "he was unable to do work of any kind, while he had been assisting his wife in doing housework and in the tailoring business," and on the trial he was acquitted. Held, that having been acquitted of the charges he was entitled to the benefits withheld on account of the charges.

3921. A member of a Lodge was charged with fraud, etc. He failed to appear before the Trial Committee, and the Committee resolved to report him guilty of contempt, but before the report was made the brother died. He had not been summoned to appear and answer a charge of contempt, no such charge having been preferred against him. He left a widow, and at his death was in good standing, and the By Laws provided that the widow of a brother who was in good standing at the time of his death shall be entitled to funeral benefits. Held, that in this case the charge did not bear upon the right to benefits, and that the Lodge had no right to refuse to bury the deceased brother with funeral honors, and was liable for the payment of the benefits prescribed by the By Laws.

3922. In the absence of any local law providing for a stay of proceedings pending an appeal, a Lodge is bound to obey the mandate of the Grand Master, based on the final decision of a proper committee, under the appeal procedure, or the Grand Lodge, and pay benefits in accordance with the decis-

STAY OF PROCEEDINGS.

ion on payment being demanded, and the Grand Lodge has, therefore, the right to demand that the Lodge before its appeal is perfected, shall be required to deposit with the Grand Secretary an order on the Treasurer of the Lodge for the whole amount adjudged to be due to be held by the Grand Secretary awaiting the final adjudication of the controversy.

3923. An expelled member does not pay dues pending his appeal to the Grand Lodge, as his appeal does not stay the proceedings. His dues begin to accrue from the time the decision of reversal is announced to the Lodge.

3924. A suspended member, in order to keep himself beneficial, must pay up his dues and arrearages to his Lodge the same as any other contributing member, pending his appeal to the Grand Lodge, as his appeal stays the proceedings.

3925. A brother having been expelled November 14th, 1870, appealed to his Grand Lodge, which reinstated him without acting on his appeal. January 17, 1872, his Grand Lodge reconsidered its action and approved his expulsion. February 20, 1873, this action was reversed and his appeal sustained. July 3, 1873, he was suspended for non-payment of dues, accruing from November 14, 1870, to that time. Held, that he had never lost his membership, and his suspension should be approved.

3926. Undecided charges stay all proceedings whereby a member may withdraw or otherwise sever his connection with the Order, whether by Withdrawal Card, Dismissal Certificate or Resignation.

STREET UNIFORMS.

3927. Uniform street dress to be worn by Subordinate Lodges when in public procession:

1. The style of hat or cap and dress shall be left to the Jurisdiction of the individual Subordinate Lodges, provided, that in each case strict uniformity shall be enjoined and observed.

2. Plain white gloves only shall be worn.

3. A jewel collar two and one-half inches wide (no more nor less) at the widest part uniting in a point in front in accordance with the official pattern, made of light blue silk, Italian cloth or other material (excepting velvet, which shall not be used), edged with silver lace or braid one-fourth of an inch wide, and without embroidery or other ornamentation of any kind whatever.

4. A medal, to be suspended from the collar, or white metal one and three-fourths inches in diameter, having on the obverse side in raised work the All-seeing Eye encircled by rays of light, and on the reverse also in raised work, the three links of the Order surrounded by the legend, "In God We Trust."—"Friendship, Love and Truth."

Officers and Past Officers may wear instead thereof or in addition thereto such jewel or jewels of the Order as they may be entitled to wear elsewhere in conformity with the existing regulations.

3928. The wearing of uniforms is purely a voluntary matter and anything that would directly or indirectly compel members to procure them would be highly objectionable.

3929. It is unlawful to use the funds of a Lodge to procure street uniforms.

SUBORDINATE LODGES.

(a). Purposes. (c). Limitations.
(b). Powers and Authority.

(a). Purposes.

3930. Subordinate Lodges are instituted for the encouragement and support of brothers of the Order when in sickness, distress or on travel, and for the purposes of benevolence and charity. The peculiar office of a Subordinate Lodge "is to provide the means to meet the claims of the sick and distressed members, to care for them properly during their illness, to bury the dead, to succor the widow and educate the orphan." Among its objects shall be the formation of a fund for the benefit of members, their widows and orphans in time of sickness and distress.

3931. One of the primary objects of the Order is the cultivation of the social principle; the frequent comingling of the members; the habitude of thought which frequent access to the teachings of the Ritual creates and its practices enjoin, all combined to give an exalted tone and character to the membership, and to promote the spread and ultimate recognition of the benign principles of our beloved Order.

3932. A Subordinate Lodge, duly formed, is authorized and empowered to initiate into the mysteries of the Order any person or persons duly proposed, and approved according to the laws of Odd Fellowship, and the regulations and charges adopted by the Grand Lodge, and to administer to true brothers all the privileges and benefits arising therefrom, and to enact By-Laws for its government. Provided, always, that the Lodge does act according to the Laws, Rules, Regulations, Customs and usages of the Order in conunction with and in obedience to the Grand Lodge, adhering and supporting the Constitution and laws of the Grand Lodge, and the regulations, charges and degrees of Odd Fellowship. And, provided, also, that the Lodge shall be held at the place named in its warrant or char ter and shall not be removed therefrom without the consent of the Grand Lodge or the Grand Master during a recess.

3933. The payment of weekly benefits of some stipulated amount, however small, by Subordinate Lodges to sick members is regarded as the distinguishing characteristic of our Order, and may be regarded as fundamental principles of Odd Fellowship, and it is the duty of Lodges to tax their members in order to pay said benefits.

3934. To care for the orphans of its members is also a distinguishing purpose of Subordinate Lodges, and the Lodge is not relieved from this responsibility by the fact that they are removed to a distance from the Lodge by their mother an unworthy woman.

3935. Another purpose peculiar to a Subordinate Lodge is that toward brothers travelling or sojourning in its Territorial Jurisdiction who are sick or disabled, and who either have visiting cards or are placed in its care by their own Lodge, the Lodge shall render the same fraternal sympathy and attention as it would bestow on its own sick or disabled brothers.

3936. Another characteristic purpose of a subordinate Lodge is that the Relief Committee of the Lodge having charge of a travelling or sojourning brother will take charge of his case and visit him at least once weekly, and keep in constant information relative to his condition and that such information will be sent monthly by the Lodge to his own Lodge, in order that it may be informed concerning this member's beneficial condition, and that he may get his benefits, which may be forwarded to the Lodge in whose charge he is and paid to him by its Relief Committee.

3937. Another purpose for a subordinate Lodge is to afford a brother who may take up his residence away from the vicinity of his Lodge an opportunity to assist in extending attentive benefits to the members of the Lodge nearest to his new residence, so that he may watch with, and be watched by the members of said Lodge when he or they are sick, as though he were a member of said Lodge.

SUBORDINATE LODGES.

(b). Powers and Authority

See By Laws. *See* Assessments.

3938. A Lodge is restricted to the exercise of powers conferred by its charter and the laws of the Grand Lodge. It has no legislative power whatever, except to make By-Laws for its own internal government.

3939. The Grand Lodge has authority to adopt a uniform Constitution for the government of Subordinate Lodges.

3940. It is the duty of the Subordinate Lodge and its officers to obey and enforce the laws of the Sovereign Grand Lodge, anything in the Constitution of Grand or Subordinate Lodges to the contrary notwithstanding.

3941. The right of Subordinate Lodges to re-elect their officers is under the control of the several State, District and Territorial Grand Bodies.

3942. A Lodge has the authority to remit fines imposed by its By-Laws and it is not limited by General Law as to the existence of peculiar conditions before it may exercise this power. It has the power to remit, if it chooses to do so.

3943. A Lodge has the right and it is its duty to correct an error which it may have committed through ignorance.

3944. A Lodge has the legal right to require proficiency in the Unwritten Work of the last degree taken, as a condition precedent to a candidate advancing to the next higher degree.

3945. It has been a well established practice of the Sovereign Grand Lodge to recognize the power of a Subordinate Lodge over its financial affairs as a delicate, sacred and highly cherished prerogative.

3946. The Sovereign Grand Lodge will not permit a Lodge even with the approval of the Grand Lodge of the Jurisdiction, to loan funds without ample security and a reasonable interest being paid, and it must exercise this power to loan its funds with due regard to the reversionary interests therein vested in the Grand Lodge.

3947. If a Lodge on being instructed by the Grand Master to cease violating the laws complies, there is no law which forbids it from doing so under protest.

3948. There is no law to prevent a Lodge from protesting against the instructions of a Grand Master, where the Lodge is clearly of the opinion that the instructions are wrong. While a Lodge would have no right to disregard the instructions of the Grand Master, and while it would be its duty to obey them, yet the right to respectfully protest should not and cannot be taken away.

3949. The matter of using the funds of a Subordinate Lodge, for the purpose of paying for the services of their officers, is one which properly belongs to the legislation of the Grand Lodge.

3950. Refusing to pay assessments to the Grand Lodge and to recognize the Grand Master *de facto* is insubordination, and the suspension of the Lodge by the acting Grand Master is a proper and adequate punishment for such acts.

(c). Limitations.

3951. A Lodge has no authority to ask advice or counsel from any other quarter than the Grand Lodge by which it is governed or of the Grand Master during recess.

3952. It is not within the Jurisdiction of one Lodge to try the members of another, much less to declare a sentence of exclusion without a trial. The only proper course for a Lodge or member to pursue, in cases where mem-

SUBORDINATE LODGES—Limitations.

bers of other Lodges are regarded unworthy, is to prefer charges against them in pursuance of the well established laws of the Order.

3953. A Lodge cannot levy an assessment for any purpose not connected with the scheme of benefits, no matter how lawful the purpose in itself may be, as for example to furnish the Lodge room, procuring regalia, or to buy a library.

3954. A Lodge cannot permit its Lodge room to be used for conferring any degrees or secret works not provided for by the existing laws of the Order, and any officer of any Subordinate or other Lodge or Lodges, who may aid or permit such degrees to be conferred in such Lodge room shall be guilty of a violation of the laws of the Order; provided, that this resolution shall not be interpreted so as to affect any such proceedings as may be had in such Lodge rooms by other secret associations not under the color of Odd Fellowship.

3955. A Lodge without the brothers consent or request therefor, cannot lawfully certify with or without seal to the amount of benefits paid to the standing of a member as a matter of courtesy to outside organizations.

3956. Neither a Lodge or any of the members thereof shall in the name of the Order resort to any scheme or raffles, lotteries or gift enterprises or schemes of hazard or chance of any kind, as a means to raise funds for any purpose of relief or assistance to such subordinates or to individual members.

3957. A Lodge has no authority to hold any anniversary or other celebration, ball, party, entertainment, supper or other public function or meeting where the regalia may be worn or the name of the Order assumed without the permission of the Grand Master, first obtained in writing, predicated upon the direct promise through its officers that no intoxicating beverages of any kind shall be offered to the members or guests present on the occasion.

3958. A Lodge is violating the laws of the Order which permits vinous or malt liquors in the Lodge room, or ante-room or passage way connected with and adjoining thereto and under its control.

3959. Questions of the construction of By-Laws cannot be referred to a Committee for decision; such questions are first to be determined by the Presiding Officer of the Lodge, and on appeal from him by the Lodge itself. An appeal lies from the action of the Lodge.

3960. A Lodge cannot assemble in convention with other Lodges. The recognition of the right on the part of Subordinate Lodges to assemble in conventions and legislate on matters relating to the internal affairs of the Grand Lodges would have the dangerous tendency of establishing a power superior to the acknowledged legislative head of the Order.

3961. A Lodge cannot, by law pay out of its General Fund the assessments upon a brother for insurance he holding a certificate for membership in a Beneficial Association, although he constitutes the Lodge his beneficiary.

3962. A Lodge in this Jurisdiction cannot legally employ a physician to attend members in good standing and pay a certain sum per member per year out of the General Fund.

3963. Whenever the Board of Health of any State, city, town or village declares a contagious diseases to be epidemic, Subordinate Lodges and Encampments either separately or in conjunction, may hire physicians to attend such Odd Fellows and their families as may be taken sick during the prevalence of such epidemic.

3964. After a brother has become sixty years of age and has been a contributing member for twenty-five consecutive years, his name shall not be dropped from the roll by virtue of his being more than one year in arrears for non-payment of dues, but he shall be retained as a non-contributing member, and as such shall be entitled to the pass word and fellowship of

SUBORDINATE LODGES—Limitations.

lodges. He shall have all the privileges of active members, except benefits, and Subordinate Lodges shall not be compelled to pay per capita tax on such non-contributing member. He may be reinstated in the manner provided for the reinstatement of dropped members by the Constitution and By-Laws of the several Jurisdictions.

SUICIDE.

3965. A Lodge cannot refuse to pay funeral expenses to the family of a deceased brother on the ground that he committed suicide.

3966. Suicide is no bar to funeral benefits.

3967. On an appeal from certain brothers, from a Lodge against the decision of said Lodge in fining them for refusal to sit up with a brother of another Lodge, who had attempted suicide by cutting his throat, and who lingered nine days, needing constant care, and then died—on the double ground that he was a member of another Lodge, and that they "were not compelled by their obligation to attend a brother who had attempted his own life." It was decided that the fine had been righteously imposed and the appeal was dismissed for the reasons: First, that attentive benefits are due to every brother, not only because he is a member of a Lodge, but for a wider reason—that he is a member of the Order—an Odd Fellow. Second, that the law establishes the principle governing the case when it declares that "A member committing suicide, his family are not thereby debarred from funeral benefits."

SUNDAY.

3968. While there is no positive law against a Lodge holding a meeting on Sunday for the purpose of presenting the Order in its true light to the public, and to advance interest therein and to instruct in its tenets and work, nevertheless our Order does not favor it, except on occasions of religious or semi-religious character, such as funerals, memorial services, etc.

3969. It is illegal to hold meetings of a General Relief Committee on Sunday.

3970. Where a member of the Order plays base ball on Sunday and in the game is severely injured, and for a time totally disabled. The fact that he brought on the disability while playing on Sunday would relieve the Lodge from paying sick benefits on the ground that the injury was caused by his own immorality, if the laws of the State prohibit the playing of base ball on Sunday, otherwise he would be entitled to benefits.

3971. A meeting of a Subordinate Lodge on Sunday to confer degrees, or to perform any duties other than those of strict necessity, charity or mercy, is not only derogatory to the moral character, but in direct violation of the principles and laws of the Order. The above applies as fully to the learning, practicing or rehearsal of the degrees in the Lodge room on Sunday, as it does to the actual conferring of the Degrees.

3972. A brother is not bound to attend committee meetings held on Sunday. In fact, it is illegal to hold committee meetings on that day.

3973. The Anniversary of the Order may be celebrated on Sunday, but unless the celebration consists of attendance at church, it is good taste to select another day.

3974. It is proper to celebrate Memorial Day on Sunday.

3975. It is proper for a Lodge to meet and attend a funeral on Sunday.

3976. The regular meetings of all Subordinate Lodges must be held on a week day.

3977. It is improper to institute a Lodge on Sunday.

3978. In all matters pertaining to the Order Sunday should be regularly observed by members and all organizations of the Order.

SUNDAY.

3979. A Lodge cannot give a so-called sacred concert to be given on some Sunday, in a theatre or public hall, using the name of the Order, charging an admission fee and using the proceeds for its benefit without violating the laws of the Sovereign Grand Lodge.

SUPERVISION.

3980. The Grand Master has entire supervision over the Subordinate Lodges during the recess of the Grand Lodge, and it is his duty to interfere upon all violations of the law, and, in case of persistent disobedience, may suspend the refractory Lodge until the case is tried and determined by the Grand Lodge.

3981. It is the duty of a Lodge to obey the mandate of the Grand Master, and if aggrieved to appeal to the Grand Lodge.

3982. A Lodge must obey the mandate of the Grand Master or the Grand Lodge as the case may happen to be before it can appeal.

SUPPLIES.

3983. In order to simplify the accounts of the Grand Lodge, the Grand Secretary is required to strictly conform to the law requiring that all orders for supplies furnished from the office be accompanied with the cash. Cards cannot be delivered except upon a special order signed by the Secretary and attested by the seal of the Lodge. Not less than one dollar's worth of cards should be ordered at one time. Rituals cannot be forwarded except upon a special order of a Lodge, signed by the Noble Grand and Secretary, and attested by the seal of the Lodge, nor unless the old books have been returned to the Grand Secretary. If they cannot be returned through a member of the Order, they must be securely sealed up and sent to the Grand Secretary's office by express, prepaid, with the money enclosed and a letter of instructions as to the forwarding of new books.

3984. All other supplies relating to the Work of the Order can only be delivered upon the order of the Secretary, attested by the seal of the Lodge. The Secretary must sign his own signature, else on comparison, it will appear not to be genuine, and the supplies will not be forwarded.

SUPPORTED AT PUBLIC EXPENSE.

3985. The following provision in the Constitution for Subordinate Lodges in a Grand Jurisdiction: "When a member of unsound mind is entitled to benefits and has no family or dependent relatives, is cared for and Supported at public expense his Lodge may from time to time appropriate and apply, on account of his benefits, such sums as may ameliorate or better his condition, to be a credit on any final accounting for benefits," was an appeal to the Sovereign Grand Lodge, declared illegal.

3986. A Lodge cannot refuse to pay benefits to a brother otherwise beneficial because he entered an almshouse against their desire, or because he becomes a charge upon the public.

3987. An insane brother in a State lunatic asylum and in the exclusive charge of the institution is entitled to benefits, and the Lodge is compelled to pay them to his duly appointed guardian or to the General Relief Committee having him in charge.

3988. By the General Law a soldier sick in a hospital for soldiers and there supported is entitled to benefits if in good standing.

3989. A sailor sick in Government hospital is, if in good standing, entitled under the General Laws of the Order to sick benefits.

3990. Where a brother was in good standing at the time of his admission to a Home of the Order, the Lodge cannot absolve itself from the payment

SUPPORTED AT PUBLIC EXPENSE.

of either pecuniary or attentive benefits, unless the Grand Lodge has so legislated in accordance with the provisions of the General Law.

3991. A brother insane and supported at public expense is entitled to benefits and cannot be dropped from the rolls of his Lodge for non-payment of dues, if in good standing when taken insane. The minor children of the deceased, his wife being dead, were "such beneficiaries as are contemplated by law as entitled to benefits."

3992. While a brother is an inmate of a hospital for the insane the liability for such brother's benefits is the same as that towards other members.

SUPPORTERS.

See Right Supporter to Noble Grand.

SURRENDER.

See Defunct Lodges.

3993. A Lodge, in surrendering its charter and effects, must also relinquish into the control and custody of the Grand Lodge all its books, and all its available funds and property.

3994. Where a Lodge claimed to have done this, although it retain in its own possession all the emblems, regalia and other useful effects of the Lodge, but did surrender its working books, charter, seal, treasurer's book and one record book. It was held that this was not such a surrender of its effects as the General Law contemplates.

3995. The Lodge should relinquish unavailable as well as available funds.

3996. The Lodge should transfer to the Board of Grand Lodge Officers or to a Trustee selected by it, the title to all its real estate.

3997. The charter of a Lodge cannot be surrendered so long as five brothers desire to retain it. But before any action is taken to surrender the charter, notice thereof should be sent to all members. It is not necessary, however, to wait to hear from absent members, residing at great distances from the Lodge.

3998. It is not legal at an adjourned meeting of a Lodge, to entertain a motion to surrender the charter of the Lodge and appoint a special meeting to consider and vote upon such motion.

3999. The merger or consolidation of two Lodges is in effect a surrender and the consolidation cannot be effected as long as five members in either Lodge object thereto.

4000. After a Lodge has voluntarily delivered some of its effects and its charter to the Grand Lodge whose officers have accepted the same, the Lodge has ceased to exist as a separate organization and all its functions and property are vested in the Grand Lodge. It is illegal, therefore, for certain members of the Lodge who were not at the meeting when the surrender was authorized to set themselves up as the Lodge; to claim that the Lodge could not surrender as long as five members desired to continue its organization and demand the return of the charter and effects so far as they have come into the hands of the Grand Officers, and thus defeat the efforts of the Grand Officers to recover the property of the Lodge which was unlawfully given away to or taken or received by other members of the Lodge. A charter once surrendered is to all practical purposes defunct and it can only be restored, resuscitated or reissued in the manner pointed out by law.

SUSPENDED MEMBERS.

(a). For Non-payment of Dues.

See Reinstatement.
Dismissal Certificate.
Charges.
Suspension.

(b). For Cause.

See Trial.
Dues.
Funerals.

(a). For Non-payment of Dues.

4001. A brother suspended for non-payment of dues is suspended as a means of punishment.

4002. A member suspended for non-payment of dues is still a member of his Lodge, although deprived of certain rights and privileges, and is subject to the laws in relation to discipline for unworthy conduct.

4003. A suspended member may be arraigned and tried without first being reinstated, but when arraigned for trial and punishment he must be temporarily admitted to the Lodge for the purpose of making his defense without being restored to his rights of membership.

4004. A member suspended for non-payment of dues by complying with the law and on a favorable ballot, may be reinstated in his Lodge or he may receive a dismissal certificate.

4005. As a member suspended for non-payment of dues is still a member, therefore a brother, if in the saloon business when suspended and who was continuously in the business since before January 1, 1896, and who has not abandoned it, may be reinstated in his Lodge.

4006. A member suspended for non-payment of dues, may afterwards be expelled for criminal or unworthy conduct. A brother under suspension is a quasi member of his Lodge although deprived of certain rights and privileges and is subject to the law in relation to discipline for unworthy conduct.

4007. A brother suspended for non-payment of dues by one Lodge, cannot be admitted to membership in another, without being reinstated in the Lodge from which he was suspended, and obtaining a regular Withdrawal Card or by receiving a Dismissal Certificate, or, if the Lodge be defunct, a card from the Grand Secretary.

4008. The election of a member, suspended for non-payment of dues in another Lodge pending his application for a Dismissal Certificate is illegal and void.

4009. A brother who is under suspension for non-payment of dues and who is over fifty years of age, is eligible for reinstatement to beneficial membership, the Grand Lodge not having legislated to the contrary. Nor is the enactment by the Grand Lodge of the provisions in the Subordinate Constitution concerning the admission as non-beneficial members of aged members of defunct Lodges and aged non-affiliated Odd Fellows such legislation as would render such brother ineligible to reinstatement as a beneficial member.

4010. A member suspended for non-payment of dues has no right to visit his Lodge, his membership and all his privileges, except those relating to reinstatement in the Order in his own Lodge or to obtain a Dismissal Certificate whereby he may join another Lodge, are in abeyance.

4011. When B was initiated into a Lodge, while being a suspended member of another Lodge, the question to be determined was simply whether he gained such standing (if any) in the second Lodge he joined as to be

SUSPENDED MEMBERS—For Non-payment of Dues.

entitled to receive benefits. The Committee appointed by the Lodge reported that he was still a member of the other Lodge (although under suspension), and that the other Lodge had jurisdiction over him. The Lodge adopted this report and placed a formal resolution on their minutes that they would pay him no benefits because of this condition of affairs. If a brother cannot be a member of two Subordinate Lodges at the same time, and if he cannot after suspension from one Lodge be admitted to membership in another without complying with the conditions just cited the conclusion is irresistible that his initiation and membership in the second Lodge was simply a matter of form which could in no sense hold it to the payment of benefits, when there was no collision proven on its part. That they were innocent in the matter was evidenced by the prompt action they took, after due proof, to declare him not a member of their Lodge, and the resolution they at once passed to refund him every cent he had paid under the guise of membership. An order was drawn in his favor for $19.20 to cover all such payments made to the Lodge by him; although he refused to receive it and demanded benefits, it still remains subject to the order of his widow. No man, either in law or equity, can benefit by his own wrong when others sustain loss or injury thereby. And as the law is explicit that membership in a Lodge cannot be gained as he entered this Lodge, it is therefore in no way indebted to him or his representative for one cent of benefits.

4012. Funeral honors cannot lawfully be extended to a deceased brother who has been lawfully suspended from membership.

(b). For Cause.

4013. A member under suspension for cause is still amenable to the laws of his Lodge, and cannot be deprived of the right of petition and the privilege of making acknowledgment of errors committed. If his communications are disrespectful he may be punished even to expulsion if the cause be sufficient.

4014. A brother suspended from membership in his Lodge is thereby cut off from all benefits and privileges, and in case of his death the Lodge incurs no new liability on account of his decease.

4015. A By Law which provided "that a member suspended for cause shall not be entitled to benefits until after the expiration of six months from the expiration of his term of suspension," is against the law of the Order for the reason that it is punishing the brother twice for the same offense.

4016. Every Lodge holds its members, while suspended as punishment for an offense, responsible for dues accruing during the time of such suspension.

4017. In cases in which a Subordinate Lodge has suspended a member for cause other than non-payment of dues, the Lodge may commute or remit such portion of his accumulated dues (if unpaid) as it may determine, upon the reinstatement of such brother, such matters being properly the subject of local legislation.

4018. The law provides that a member who has been suspended for cause, his dues shall accumulate during such suspension, and in another place the law reads that the Financial Secretary can not refuse to accept dues at any time when tendered, and the Sovereign Grand Lodge requires that when any receipt is given it shall be the official certificate, and farther that when a member presents such certificate to any Lodge in this Jurisdiction he can obtain the Semi-Annual Pass Word. The question was asked: How shall a Lodge act in the premises in order that such suspended member shall not be entitled to visit Lodges? Held, that in issuing an Official

SUSPENDED MEMBERS—For Cause.

Certificate to a member who is under suspension for cause, the Secretary write on the face of such Certificate a statement as follows: "The holder of this Certificate is under suspension for cause until the day of, 190...."

4019. Suspension for cause terminates "good standing" and not being restored until after the expiration of one year, breaks the continuity of years, so that the member though restored is not entitled to the "twenty-five years' Veteran Jewel" if the twenty-five years embrace the year of suspension.

4020. A member of an expelled or suspended Lodge is suspended from his privileges in the Order. A member thus situated is not allowed to visit in the Brotherhood or to represent the Lodge in the Grand Lodge. In fact, he is to all legal intendments in the same position as though he has personally been suspended for cause, and it is only when his Lodge is reinstated, or he has been granted a proper card by the Grand Lodge Officers, that his standing in the Order is restored.

4021. A Lodge cannot terminate a suspension of a member for a given time before the expiration of that time, except by the consent of the Grand Lodge or the Board of Grand Lodge Officers.

4022. An Odd Fellow who is under sentence of suspension for five years, may, if not contrary to local law, be reinstated upon a dispensation or consent from the Grand Master.

4023. Upon the suspension of an officer from membership, there is thereby a vacancy created which the Lodge may proceed to fill by election or appointment, as the case may be; the suspended officer, when reinstated, is simply restored to membership, and has no right to the office he formerly held.

4024. When a suspended member of a Subordinate Lodge is restored to membership by a mandate of the Grand Lodge, he is admitted to the same as a member in good standing on payment of all the dues that have accrued against him.

4025. A member who has been suspended from the Lodge for improper conduct, when the term expires for which he was declared suspended, returns to his former standing in the Lodge without any action on his part, upon his paying all dues that may have accrued up to the date of the expiration of his suspension.

4026. Suspension for non-payment of dues is a mode of punishment, and arrears of dues continue to run during such suspension. The whole amount accruing before and after suspension in the absence of legislation to the contrary would be payable on reinstatement.

4027. The dues of a member accrue during the time of suspension just the same as if he was not suspended. The payment of dues by a member is not a privilege, but a duty. The Lodge, therefore, has an undoubted right to receive his dues during suspension; but he would not thereby be entitled to any benefits during such suspension. But this is not to be so construed as to conflict with the provisions of the law, which reads as follows: "A member who has been suspended for improper conduct, when the time expires for which he was declared suspended, returns to his former standing in the Lodge without any action on its part, upon his paying all dues that may have accrued up to the date of the expiration of his suspension."

SUSPENSION.

(a). For Non-payment of Dues.
(b). For Cause.
(c). Of Benefits.
(d). Of Dues.
(e). Of a Lodge.
(f). Of Lodge Meeting.

See Suspended Members.
Penalty.
Trial.

See Reinstatement.
Restoration.

(a). For Non-payment of Dues.

4028. The Constitution for Subordinate Lodges contemplates that when a brother is twelve months in arrears he shall be notified by the Secretary at once, and a notice sent out months afterwards is not a compliance with the spirit of the law.

4029. A Lodge cannot refuse to receive in full or in part the dues of a member prior to his suspension, and no member can be suspended or dropped from membership in the Order for non-payment of dues unless at the time of his suspension he shall be indebted to the Lodge for one year's dues.

4030. To suspend or drop a member for the non-payment of dues, the time fixed by law must be regarded, and not the amount due. A brother clear on the books on the first of January, for instance, cannot be suspended or dropped until a year thereafter, no matter to what amount his dues may accumulate in the intermediate time by fines or otherwise.

4031. In determining what is the amount of yearly dues, funeral and all other assessments are to be included and counted as well as the dues, but a member whose dues were paid to January 1, 1906, could not be suspended on December 28, 1906, the period not being one year, no matter how much or little the dues may aggregate.

4032. A brother cannot be suspended for non-payment of dues while his Lodge is indebted to him for benefits, which, if deducted from the amount against him, would reduce his indebtedness for dues within the limit of the Constitutional provision on that subject.

4033. Nor if the Lodge is owing him on any account a sum sufficient to make him, if credited, in good standing.

4034. A Veteran member that is over sixty years of age and has been a contributing member for twenty-five consecutive years cannot be suspended for non-payment of dues. He must be transferred to the non-contributing roll.

4035. It is not necessary to ballot on the suspension of a member for non-payment of dues. Any action of the Lodge whereby the sense of the Lodge is reached and declared and made a matter of record complies with the law.

4036. The notice of contemplated suspension must be given after a full year's dues have accrued. It cannot legally be given before that time.

4037. The important part, in fact, the vitally necessary part of the proceedings is that notice was given the brother as required by law, of the contemplated suspension after a full year's dues have accrued.

4038. The Secretary notifies the delinquent in writing giving four weeks' notice, and he should report his action to the Lodge and have it noted in the minutes, although the Lodge may not have specially directed him to do so.

4039. The mere fact of a member being over twelve months in arrears to a Lodge does not constitute him a suspended member. To render him such the Secretary must have given him the proper notice and the Noble Grand or the Lodge must have formally declared him to be suspended.

4040. When a member who has been suspended under the allegation of non-payment of dues is able to prove that the action of the Lodge in suspending him originated in a manifest error in his account as kept by the Secretary, and is not sustained by his actual indebtedness, his suspension becomes and should be declared, in point of fact, null and void.

SUSPENSION—For Non-payment of Dues.

4041. A member who is over twelve months in arrears can pay the same, or a portion thereof, at any time prior to the declaration of suspension by the Noble Grand.

4042. A member, or officer of the Lodge, cannot be suspended from the rights and privileges of the Order (excepting for non-payment of dues) or be expelled therefrom, unless a specific charge has been preferred against him, and the case has been regularly proceeded with in accordance with the requirements of the Constitution for Subordinate Lodges.

4043. An insane member cannot be suspended for non-payment of dues.

4044. A member became insane when he was seven months in arrears, and is sent to an insane asylum where he remained for more than five months. There was nothing paid on his account after he became insane, nevertheless he was not liable to suspension.

4045. The question was asked whether a Lodge by By Law in relation to suspension of members for non-payment of dues, who were over one year in arrears can make the suspension mandatory. To which it was replied that the By Law referred to cannot be made mandatory, because in that case it would conflict with the Constitution. The Constitution clearly leaves this subject at the discretion of a Lodge, and this right of a Lodge to decide each case on its own merits, cannot be taken away by any By Law.

4046. A Lodge cannot legally suspend a brother for non-payment of dues who owes considerably more than one year's dues, without giving him notice that he will be suspended, even though the brother be fully aware of the amount of his indebtedness to the Lodge. Before suspension the brother should be notified by the Secretary in writing that the matter of suspension will be considered on a certain stated meeting of the Lodge unless the indebtedness shall in the meantime be reduced to less than the amount of one year's dues.

4047. Where a brother was suspended for a fixed period of time, he could not, during that time, be suspended for non-payment of dues, but resumed his standing in the Lodge after paying up all arrearages immediately after the expiration of his period of suspension.

4048. A brother being in arrears for more than one year's dues, was sent a written notice by the Secretary that he should pay the same at the meeting of the Lodge to be held on November 19th next, or he would be suspended for non-payment of dues. On November 17th the brother sent a registered letter with the necessary amount of money enclosed, and addressed to the Secretary, which letter was not received by the Secretary until after November 19th. It was held that when the Lodge opened on the evening of that date the brother was twelve months, and over, in arrears, and he had been notified thereof by the Secretary and that action would be taken on that evening in the matter of his suspension for non-payment of dues. He had, undoubtedly, a right to pay, on that evening, at any time before his suspension was declared; and he had a right to a reasonable opportunity so to do, after the opening of the Lodge on that evening; but that right arises by implication merely from the fact that the notice required by law to be given to the delinquent brother must be intended to afford him an opportunity to pay his dues and avoid the impending suspension. It cannot, therefore, be extended by construction beyond the limits reasonably necessary to effect that purpose; and there is no reason for extending it beyond the period in the order of business of the Lodge at which such matters are usually considered. The mailing of the registered letter did not constitute a payment to the Lodge. The postmasters were not agents of the Lodge, but were agents of the brother, and their failure to transmit or deliver the letter in time was his failure. The fact that the brother disputed the correctness of the Secretary's account against him is immaterial. The Secretary's account was, in fact, correct, and the brother in delaying payment upon his own judgment to the contrary, did so at his peril.

SUSPENSION—For Non-payment of Dues.

4049. It is not sufficient notice to a brother that he will be suspended for non-payment of dues for the Secretary of the Lodge to mail to his address as it appears on the books of the Lodge a letter enclosed in an envelope with a return request thereon to the postmaster to return the letter in a certain number of days, if not delivered. The letter not being returned by the postal authorities does not raise a presumption of its receipt by the brother.

4050. A Lodge cannot refuse to receive part of the arrears for dues owing by a brother and give as a reason for the refusal that the brother was liable to suspension, and that he must pay the total amount against him on the books.

4051. Various remedies have been proposed to save the continued loss to the Order through suspensions for dues, but the right one has not been found yet. To punish these members with severity, it seems is not justified by their offence. We place an almost prohibitive reinstatement fee, forgetting that in the majority of cases financial inability to pay brought about the suspension. Before suspending a brother we should go to him in the spirit of brotherly love, and inquire into his circumstances, find out why he cannot pay, and use every effort, if necessary, to place him in a condition so that he can pay. A member over three months in arrears is not entitled to benefits in any Lodge in this State, and therefore all the accrued dues are of no service to the brother from a beneficial standpoint. In other words, he is charged with the same dues as the brother who keeps himself in good standing, but. differently from him, is entitled to no benefits; hence he is charged with dues which during nine months of the time assure him no beneficial consideration.

4052. To notify a brother who owes over one year's dues, that he will be suspended unless he reduces his arrearage to less than the amount of one year's dues, the following form may be used:

..... Lodge, No., I. O. O. F.
..... 19

Brother.....

You are hereby notified that you are indebted to the Lodge $..... for dues and assessments, being the amount of over years dues and assessments.

In accordance with the Constitution for Subordinate Lodges, you are hereby notified that the matter of your suspension for non-payment of dues will be considered at a stated meeting of the Lodge to be held at.....:.....unless the amount of your indebtedness shall, in the meantime be reduced to less than one year's dues, or $....., or unless the Lodge directs otherwise at that time, you will be suspended.

Kindly give this notice the attention it deserves, and make an effort to retain your membership.

Yours in F. L. and T.,

Secretary.

4053. When the suspension of a brother for non-payment of dues has been consummated, he does not cease to be a member of the Lodge, but has been transferred from active contributing membership, to a relationship of *quasi* membership. For example when one R has been proposed, elected and initiated into Lodge, and subsequently it was discovered that he was already a member of another Lodge under suspension for non-payment of dues. It was held that his initiation into the second Lodge was null and void, and of no effect and his original Lodge was directed to prefer charges against him.

(b). For Cause.

4054. Suspensions for cause cannot be indefinite nor for an unreasonable length of time.

4055. A By Law which requires that the vote to suspend a member for two years shall be two-thirds of the members present, is illegal as being contrary to the Constitution.

SUSPENSION—For Cause.

4056. The penalty, that he, the brother, be required to return to the Lodge the sum of $26.00 received by him for sick benefits, and stand suspended until the same be done is illegal as an indefinite suspension.

4057. The action of a Lodge was as follows: "That the brother be suspended for six months and [return the eight dollars illegally received as benefits, and stand suspended until paid.] Only the part in brackets can be declared illegal, and the former stands as the judgment of the Lodge.

4058. Charges were preferred against a brother. The charges were sustained and the brother expelled. The brother appealed. The Committee on Appeals reversed the Lodge in that the penalty was excessive. The Lodge took a vote upon suspension and suspended the brother for two years. The date of suspension must begin at the date of final action.

4059. Where the Constitution of a Lodge provides a penalty of expulsion or suspension for the offense of which a member is convicted, and does not fix a minimum period of suspension, the Lodge has the right to fix any period it chooses when it enforces the penalty of suspension. A suspension of twenty-four hours from Saturday night (the night of meeting) is within the terms of the law, although apparently an inadequate punishment.

(c). Of Benefits.

4060. Neither the Grand Lodge nor the Grand Master can grant a dispensation to enable a Lodge to suspend the payment of weekly benefits.

4061. Nor can a Subordinate, by vote, suspend the payment of benefits.

4062. Nor can a Lodge by tacit consent of its members, keep in force a By Law which has been actually repealed, and deprive thereby a brother of benefits to which he is fairly entitled under existing law.

4063. A By Law of a Lodge depriving a contributing member in good standing of benefits after reaching the age of 65 is illegal and void.

4064. In 1899 The Grand Lodge requested of the Sovereign Grand Lodge that it legislate so as to permit Grand Lodges to grant dispensations to Lodges under proper conditions, to suspend the payment of benefits for one year. The request was refused, and it was held as follows: We have duly considered the subject, which we deem one of great importance. We have in recent years had before the Sovereign Grand Lodge substantially the same proposition, have at length set forth reasons which seem to the Sovereign Grand Lodge good why the proposed suggestion should not receive favorable consideration. It strikes at the foundation of the Order. It has ever been a fundamental principle of Odd Fellowship that some fixed continuous benefits should be paid to members who are sick. The suggestion to allow Grand Lodges to permit subordinates to suspend payment of benefits for a year would, in the opinion of the Sovereign Grand Lodge, not afford any substantial relief to Lodges on the verge of bankruptcy; nor would a resort to so doubtful an expedient be of any benefit to the Order. If a Lodge cannot, under the reasonable requirements of General Law, so control its fiscal affairs as to maintain itself and fulfil its obligations to pay sick benefits, it were better that it cease to exist. The minimum benefit law of our Order provides that two dollars per week shall be paid for one year, and that if a member receive benefits for fifty-two consecutive weeks, that thereafter the Lodge may pay him one dollar per week. Surely, if a Lodge cannot fix its dues high enough to enable it to comply with such requirement, the permission to allow it to suspend payment of benefits for one year would not sustain it; and the probable result would be, that another year would need be given it, and so on, so that it would practically cease to carry out one of the chief purposes for which it was organized, namely, to afford to its members the relief to which they were entitled in the time of sickness.

SUSPENSION—Of Benefits.

4065. In 1900 the Grand Lodge renewed its request and it was again refused for the reason that "The very fact that a Subordinate Lodge desires to suspend payment of sick benefits for a period of one year, or any other time, establishes the further fact that said Lodge has members who are sick, and entitled under the existing law to receive benefits. Now, the proposition is simply this: for some reason, a Subordinate Lodge has become financially embarrassed, and, in order to cure this trouble, it is proposed to tax the sick member, and let the well member go untaxed. If a Lodge's treasury becomes depleted, the proper way to replenish it is by collecting, in the way prescribed by law, a sufficient sum from each member, thus requiring each member to pay his proportionate part. We do not believe that this Sovereign Grand Lodge will ever enact any law permitting a Subordinate Lodge to place the burden of its adversity upon the sick and helpless. It is one of the fundamental principles of Odd Fellowship to pay sick benefits. It has always been a command to care for the sick, and in every Lodge one of the first questions asked by the Noble Grand at each meeting is, 'Does any brother know of a sick brother or a brother's family in distress?' It would be worse than mockery to ask such a question, and at the same time say to the brother who is sick and in distress, we can do nothing for you, for the reason we have suspended payment of sick benefits for a period."

(d). Suspension of Dues.

4066. The payment of dues is a fundamental principle of the Order, which neither the Grand nor any Subordinate Lodge can dispense with or evade.

4067. Where a Lodge has suspended a member for cause other than the non-payment of dues the Lodge may remit such portion of his accumulated dues, if unpaid as it may determine at the expiration of his suspension, but without such remission the dues are chargeable and payable.

4068. By the General Law a Lodge may remit as much of a member's dues as are in excess of one year's dues as it may deem proper, but not any part of the arrears of dues for a less period than one year, provided it be done with all the formalities required for reinstatement for non-payment of dues.

(e). Of a Lodge.

See Reinstatement of Lodge. Restoration of Charter. *See* Suspended Member.

4069. For "persistent disobedience" a Grand Master, under the General Law has power to suspend a Lodge until the Grand Lodge shall hear and determine the case.

4070. The power and duty of a Grand Master to suspend a Lodge actually in a state of insubordination is unquestioned.

4071. The power given to a Grand Master to suspend and take from a Lodge its charter is a highly penal power, and should be exercised only in extreme cases when injury to the Order is imminent.

4072. The authority specially given to a Grand Master to suspend a Lodge he cannot delegate to the judgment of another to determine the necessity for its exercise.

4073. A Grand Master has no power summarily to remove an officer of a Subordinate Lodge, as his official relations are not with the officers of Lodges, but with the Lodges themselves in their Lodge capacity, and therefore, if a Noble Grand persists in permitting improper work in violation of his instructions, it is the duty of the Grand Master to inform the Lodge that unless it shall require of its officer to conform to the work it will be dealt with for insubordination.

SUSPENSION—Of a Lodge.

4074. The Grand Master has authority to suspend a Lodge during the recess of the Grand Lodge. The continuation of the suspension for any definite period or expulsion, depends upon the action of the Grand Lodge at its session.

4075. A Lodge may be suspended by the Grand Master after charges have been preferred against it, or to sustain his mandate where the Lodge is actually in a state of insubordination.

4076. A Lodge may also be suspended by the Grand Lodge as a result of proceedings on charges.

4077. When the Grand Master suspends a Lodge for insubordination, the proper practice would seem to be to refer the charge to a Committee for investigation to hear the charge and to report to the Grand Lodge at its session so that it may be able to act properly and intelligently in the matter, and the Lodge be given an opportunity to vindicate its course.

4078. The suspension of a Lodge takes effect from the time such suspension is published or proclaimed, and as soon as practicable, after the suspension is determined on, it is the duty of the Grand Master to make such proclamation.

4079. When a Lodge is suspended or expelled its functions cease not merely as to a certain purposes, but to all purposes. The Lodge is defunct and the rights of the members are likewise in abeyance.

4080. By the suspension of a Lodge its rights as a Lodge cease temporarily and this temporary disability attaches as well to the members individually as collectively. A member thus situated is not allowed to visit in the Brotherhood or to represent his Lodge in the Grand Lodge. If he is a member of a Subordinate Encampment, his membership is affected in such Encampment, and he has no right, while the disability lasts, to visit that or any other Encampment, any more than he is permitted to visit any other Subordinate Lodge. He cannot hold office in or visit a Grand Encampment.

4081. The period of a Lodge's suspension must be considered as a blank in its existence. No act performed after the suspension was published should be considered legal, and it is not competent for a Grand Lodge to legalize initiations made by the Lodge during this period. Nor is the election and installation of officers held and performed by a Lodge during its suspension recognized as legal. Nor can the Grand Lodge allow to persons who were elected to and installed into office and whose terms expire during the suspension of the Lodge the honors of the term.

4082. Should the Lodge be reinstated, those persons who were in office at the time of its suspension, will resume their several offices without regard to the duration of time intervening between the date of such suspension and the reinstatement.

4083. When the disability is removed then the Lodge starts again into the exercise of its various functions, and the right of the several members to the office they held when the disability was imposed revive with its revival and they should proceed at once with their respective duties as though there had been no interruption.

4084. If the Grand Lodge sustains the action of the Grand Master and determines to reorganize the Lodge, it should order the charter returned to such members of the Lodge as may petition for it, who are otherwise entitled excluding the disloyal and insubordinate members, and until such reorganization the suspension of the Lodge should continue.

SUSPENSION.

(f). Of Lodge Meetings.

4085. There is no General Law of the Order which confers upon the Grand Lodge or the Grand Master the privilege of granting a dispensation to a Lodge to dispense with its regular meetings. Such a dispensation is, therefore, illegal and improper and cannot be exercised.

4086. A dispensation cannot be granted to a Lodge to suspend its regular meetings except in cases of absolute necessity arising from want of a place to meet in.

4087. In the case a Lodge whose meeting place was destroyed by the improvement the landlord was making and there was no other place that could be procured, the Grand Lodge has no hesitation in approving the action of the Grand Master in permitting this Lodge to suspend meetings until a room could be obtained in which they might safely hold their regular meetings; inasmuch as the local law gives him the undoubted implied right so to do, when a Lodge can secure no immediate place of meetings that would properly guard the secrets of our Order.

TELEGRAPHIC CIPHER AND KEY.

4088. Benefit—What sick and funeral benefits do you pay?

Black—He is a fraud, and if he has a card or other papers from this Lodge, they are forgeries.

Boat—He is an expelled member, and has not been in good standing for —— —— ——.

Cash—Is in our city asking financial assistance, and claims membership in your Lodge in good standing.

Caution—Look out for a fraud named —— ——.

Final—A member of your Lodge died here.

Funds—Shall we aid him and draw on you to the extent of $—— ——?

Grip—Draw on us for the amount of expenses incurred.

Help—Will your Lodge pay nurse hire, and how much per day?

House—Is in our city, holding a Visiting Card from your Lodge and asking of us financial assistance.

Lodge—Forward remains to this place by —— ——.

Purple—We think best to bury him there.

Red—Holding a visiting card from your Lodge died here.

Regalia—Assist him and we will honor draft to the extent of $—— ——.

River—Has your lodge a member in good standing by the name of —— ——?

Secretary—He has a fraudulent card.

White—We don't know any such party, and he does not belong to our Lodge.

Widow—Wife or child of a deceased member of your Lodge is in our city asking assistance. Shall we draw on you to the extent of $—— ——?

Yellow—Is in our city and very sick. Claims membership in your Lodge. Shall we give him attendance on your account?

4089. Grand Lodges of the several Grand Jurisdictions are directed to insert the above telegraphic cipher and key in all future editions of their General Laws.

TERMS OF OFFICE.

See Honors of Office. *See* Eligibility to Office.

4090. The term of service for Grand Officers as recognized by all the proceedings of the Sovereign Grand Lodge is one year. Grand Officers who are elected for the brief period of three or four months are not entitled to the official honors of said office except that when an officer dies or voluntarily withdraws, or is removed from the duties of a station he forfeits the honors thereof, and the successor who fulfils the duties of the unexpired term becomes entitled to said honors.

TERMS OF OFFICE.

4091. The term of service of Grand Lodge Officers is one year, if, therefore, the Grand Lodge should amend its Constitution so as to change its annual meeting, the terms of the serving Grand Lodge Officers cannot be abridged. If necessary these officers must serve longer than one year so as to render the service in office they are required to give in order to have the honors of the offices they respectively fill and so as to bring the beginning of the term in harmony with the annual sessions of the Grand Lodge.

4092. Twenty-six meetings of a Subordinate Lodge beginning with the first meeting in April and October, are required to constitute a term. In all cases the preceding terms end at the time appointed for the commencement of the succeeding term.

4093. In some cases, owing to the calendar there will be twenty-seven meetings in a term.

4094. Where a Lodge is instituted or resuscitated during the first half of a term, this shall constitute a short term which shall end on the first meeting night of the succeeding term. But when the Lodge is instituted or resuscitated during the last half of a term, such term extends to the end of the succeeding regular term.

4095. The terms of officers of Subordinate Lodges begin and end on installation night, viz: On the meeting night following the last stated meeting in March and September respectively. The term of the Noble Grand continues until his successor is installed.

4096. The Grand Lodge is authorized to provide that in Subordinate Lodges meeting weekly the terms of the Secretary, Financial Secretary and Treasurer of any such Lodge, or of any of said officers, shall be one year, without establishing a yearly term for other officers.

4097. Neither a Grand Lodge nor any body subordinate to the Sovereign Grand Lodge can change the terms of office.

4098. A Trustee is not an officer of a Lodge within the meaning of the law defining and determining the terms of officers of a Subordinate Lodge. It is within the power of such Subordinate body to determine by its By Laws the terms of office of its Trustees; provided, that such By Laws do not conflict with the provisions of the constitution for the government of Subordinates adopted by the Grand Lodge of the Jurisdiction within which such Subordinate is located.

TERRITORIAL JURISDICTION.

See Residence.
Relief Committee.
Transfer of Membership.
Official Certificate.
See Withdrawal Card.
Cards.
Application for Membership.

4099. The term has reference entirely to the Territory within which the authority of the Grand Lodge or the Subordinate Lodge is exclusive of every other Grand Lodge or Subordinate Lodge as the case may be, except that where two or more Subordinate Lodges are working in the same community or political division, township, borough or city, they have concurrent authority therein.

4100. The Territorial Jurisdiction of the Grand Lodge is determined by the boundaries of the State of Pennsylvania. No citizen of one State, District or Territory wherein Lodges are established shall be admitted to membership in a Lodge of another State or Territory without the previous consent of the Grand Lodge or Grand Master of the State, District or Territory wherein such citizen is a resident.

4101. By the Territorial Jurisdiction of a Subordinate Lodge is meant primarily the territory from the residents of which a Lodge may recruit its membership without asking the permission of any other Lodge. This does

TERRITORIAL JURISDICTION.

not, however, necessarily imply that within this territory a Lodge has exclusive authority for in most instances it will be found that within the boundaries of this territory it exercises concurrent jurisdiction either in whole or in part with other Lodges. The boundaries of the Territorial Jurisdiction of the Subordinate Lodge are determined first by the boundaries of the township, borough or city within which it is located, and second, where no Lodges in the township, borough or city intervene, by the location of the nearest Lodges in the adjoining territory, provided that the adjoining territory is located within the boundaries of the State.

The questions to be asked concerning every applicant for membership to determine his situation in reference to his initiation or admissibility to the Order by reason of his residence, are:

1. Does he reside in the same township, borough or city as is the location of the Lodge he seeks to join?

2. Does he reside within the boundaries of the State of Pennsylvania in "territory" adjoining the township, borough or city which is the location of the Lodge he seeks to join, and is his residence so situated as to be actually nearer to the Lodge room of this Lodge than to that of any other Lodge in his neighborhood or equi-distant?

If either of these questions can be answered affirmatively, he may join this Lodge without its obtaining the permission of any other Lodge.

If both of these questions be answered negatively, then the permission of the Lodge nearest to his residence must be first obtained before he can be admitted or initiated into this Lodge.

4102. No person shall be admitted to membership in a Lodge other than the one nearest his residence either by initiation or on deposit of card without the consent of such nearest Lodge, but if there be two or more equally distant the option which to join is with the applicant.

Where two or more Lodges are located in the limits of any township, borough, or city, said Lodges shall be considered as having said township, borough or city, as the case may be, for a common location, without regard to whether or not they meet in one and the same hall, and therefore any eligible person resident of such township, borough or city, as aforesaid, applying for admission whether by initiation or card shall have the option as to which of the Lodges in his township, borough or city he will make application for membership, they being technically equally distant from his residence. Provided, that with respect to all other Lodges in this Grand Jurisdiction, except the Lodges located in the same township, borough or city, the territorial jurisdiction of each Lodge so situated in a township, borough or city, shall be determined by the General Law as above stated, the measurement to be by an air line from the hall where the Lodge meets. Provided, nevertheless, that whenever a person qualified for membership shall apply for admission by initiation or deposit of card in a Lodge in the territorial jurisdiction of which he does not reside it shall only be necessary to obtain the permission of the Lodge or Lodges nearest to his place of residence in order to make his election into the Lodge, in whose Territorial Jurisdiction he does not reside, legal and valid.

The Lodge may use the following form of request to Lodge located nearest to the residence of applicant, for permission to initiate or admit him to membership in the Lodge to which he has made application:

To.....Lodge, No. I. O. O. F.
..... County, Penn'a.

Sirs and Brothers:

This Lodge has received a proposition for initiation and membership from

Name.....
Age.....years. Occupation.....
Residence.....

which residence is nearest the location of your Lodge and beyond the limits of the Territorial Jurisdiction of this Lodge. Therefore, in accordance with the Laws of the Order, and in the event of favorable action upon this propo-

sition, permission is asked from your Lodge for his admission to membership in this Lodge. Any additional information you may see proper to submit in regard to the propriety of the admission of this applicant will be fully appreciated.

A prompt reply is requested.

Thanking you in advance for your courtesy in this matter, I am

Yours fraternally,

(Seal) Sec'y.

4103. Within the bounds of its Territorial Jurisdiction no matter how large it may be each Lodge is required to visit the sick and attend to the duties of fraternal visitation and attention required of Lodges by the laws of the Order. There can be no limit to distance to which brothers shall go to visit sick members within the Territorial Jurisdiction of the Lodge.

4104. Residence in the Territorial Jurisdiction of the Lodge is an elementary qualification for membership; hence a person, who is a resident and citizen of another State or the subject of a foreign power, and only a temporary resident within the Jurisdiction, cannot be initiated into the Order in such Jurisdiction. An individual can have only one legal residence.

4105. The penalty to be inflicted upon a Subordinate Lodge violating the provisions of the law prohibiting Subordinate Lodges from admitting persons as members not residing within their Territorial Jurisdiction without having secured proper permission as provided by law, shall be as follows: Said Subordinate Lodge shall upon conviction of such offense, immediately remit to the Subordinate Lodge having Territorial Jurisdiction the initiation and degree fees received from the member so admitted to membership, and from time to time thereafter when requested by the Lodge which has received the initiation and degree fees to pay to such Lodge all dues received from said member so admitted to membership and shall so continue to pay all such dues while he or she shall retain his or her membership. Provided, nevertheless, that this resolution shall not affect the present legislation or any decisions in respect of and in relation to members being admitted by cards under facts herebefore recited.

4106. When a brother holding a card, applies for membership in a Lodge within whose Territorial Jurisdiction he does not reside, and was admitted without the consent of the Lodge nearest his residence within and to whose Territorial Jurisdiction he necessarily was subject. The applicant knew or is bound to know what the law is and that his membership is illegal. The Lodge also knew or was bound to know what the law was. Held, that his membership being illegal was not protected and his status was that of an Ancient Odd Fellow, and likewise when a brother holding a card is actually a resident applies for and is admitted to membership in another Jurisdiction without complying with the requirement of the law concerning such admission to membership, his membership is illegal and is not protected.

4107. No citizen of one State, District or Territory wherein Lodges are established shall be admitted to membership in a Lodge of another State, District or Territory without the previous consent of the Grand Lodge or Grand Master of the State, District or Territory whereof such citizen is a resident.

4108. Any Subordinate Lodge violating the privisions of the previous section of the Constitution of the Sovereign Grand Lodge, upon conviction thereof before the Grand Lodge of the Jurisdiction within which the same is located, shall forfeit and pay to the Grand Lodge of the Jurisdiction within which the person admitted to membership in violation of the provisions of said section shall reside, all initiation and degree charges received from such person up to date of such conviction.

4109. A Lodge may waive its Jurisdiction concerning an applicant for membership, in favor of the Lodge to which he has applied for admission or initiation. For example, where the Grand Lodge of a Jurisdiction limits the

TERRITORIAL JURISDICTION.

jurisdiction of its Subordinates to one-half the distance in a straight line to the nearest Lodge, a member of the Scarlet Degree may deposit his card in a Lodge other than the Lodge within the Jurisdiction of which he resides and if elected become a legal member of such distant Lodge, provided the Lodge or Lodges in whose Jurisdiction he resides shall waive Jurisdiction.

4110. Territorial Jurisdiction with respect to applicants for membership as between Grand Jurisdictions can only be waived under the following conditions, namely: A person, resident of one Jurisdiction may be admitted to membership in another Jurisdiction either by initiation or deposit of card if all the following conditions exist:

1. The Jurisdiction must be contiguous or adjacent.

2. He must have consent of the Grand Lodge or Grand Master of the Jurisdiction in which he resides.

3. The Subordinate must be the nearest one to his residence.

4. He must have the consent of the Jurisdiction under which the Subordinate exists that he proposes to join.

5. The necessary consent, legally authenticated, must accompany the application for membership.

4111. Lodges may enter into agreement with each other subject to the approval of the Grand Lodge, with reference to their respective Territorial Jurisdiction. For example, when a Lodge without the permission of the Grand Lodge, but by dispensation of the Grand Master, which he had no authority to give, was allowed to remove from one town to another and thereby into the territory of another Lodge, the Grand Lodge permitted the following agreement to be made between the two Lodges which agreement it ratified:—"It is further agreed between the parties hereto that no territorial line shall exist between the two Lodges in reference to initiation for membership; and that each committee shall submit to their respective Lodges a copy of this agreement and recommend its adoption and when it is adopted by both said Lodges to submit the same to the chairman of said committee, to which this matter was referred for further investigation, and that all further proceedings shall be stayed."

TESTIMONY.

See Evidence. *See* Witnesses. *See* Trial.

4112. In law testimony is construed to mean the statement or declaration of a witness; a solemn statement of declaration under oath or an affirmation made as evidence before a tribunal or an officer for the purpose of evidence. In Odd Fellowship, however, it is used in its broadest sense and primary meaning as the proof or demonstration of some fact. For example the Constitution for Subordinate Lodges, says that the commissioner in the case of a claim for benefits is appointed "to take testimony that either party may offer in relation to the case."

4113. The means of demonstrating or proving facts in any trial in the order are limited to the following:

1. Parol testimony, i. e., the oral evidence of living witnesses before the Trial Committee or Commissioner.
2. Depositions of absent or non-resident witnesses.
3. Minutes of Lodges.
4. Documentary evidence.

4114. The Trial Committee can determine the admissibility of the testimony subject to exceptions by either party and the exceptions so taken shall be noted by the Committee upon its minutes.

4115. A Commissioner, however, is not competent to pass upon the admissibility of the testimony, and will admit the same and note the objection of the other party thereto.

TESTIMONY.

4116. The Commissioner is a mere ministerial officer. He has no power to make any ruling. His duty is to take down what is offered, and leave to the Lodge and to the Appeal Committee to pass upon the relevancy or the irrelevancy of the proposed proofs.

4117. Testimony in trials in the Order in the absence of other regulations should be taken in the same manner and with the same effect as legal testimony taken in courts of justice.

4118. The obligations cannot be used in evidence in a court of law against a member in his suit against the Lodge.

4119. While an *ex parte* statement may be regarded as evidence sufficient to place a brother on his trial, it cannot be permitted on the trial.

4120. *Ex parte* testimony is illegal on a trial; yet if the testimony in the case, exclusive of this, is so conclusive and abundant as to make it evident that without it the same conclusion would have been properly arrived at, and that another trial would and ought to lead to the same result, the conviction will be sustained.

4121. The law which provides that "persons not members of the Order, may be examined as witnesses against members of the Order by a Trial Committee, the accused being previously notified of the time and place of taking the same," does not apply to the certificate of a physician as to the insanity of a brother claiming benefits. But is intended to apply to cases where charges were preferred by one member against another and to claims or appeals for benefits so that the accused may be present and know what is brought against him.

4122. At the hearing, a brother under charges has the right by himself or his counsel to meet and cross examine all witnesses, no testimony against him taken by any Committee without notice to him, and in his absence should be received.

4123. Nothing is better settled than that the person must be dead before his declarations, taken when he supposed himself to be in *extremis*, can be heard in evidence. These declarations must be made when the person making them has no hope or expectation of recovery and they may be rebutted by a voluntary statement made on a subsequent day to the contrary effect.

4124. Depositions of absent or non-resident witnesses, if taken in accordance with the method prescribed by law, may be offered in evidence.

4125. The record of acquittal upon a charge of feigning sickness to obtain benefits, such record containing the evidence upon that issue, is sufficient to establish the brothers right to the benefits thus claimed.

4126. A record of a trial in the courts upon a charge of violation of the laws of the land, is *prima facie* proof of the facts appearing therein, and where charges are preferred against a brother for a violation of the laws of the Order, the same he has been tried for in the court, the record in the courts is competent proof in the trial in the Lodge, and is conclusive, unless other evidence be introduced beside that in the record, and on such trial, either party may introduce such evidence as is not embraced in the record.

4127. The secret records and workings of an Encampment or a Rebekah Lodge cannot be introduced in evidence or exposed in any other place or before any other tribunal, except in such Encampment or Rebekah Lodge or Trial Committee thereof.

4128. Testimony as to events occurring prior and subsequent to the time of the commission of the alleged offense, if material and relevant to the subject matter of the inquiry are properly receivable in evidence.

4129. Positive evidence of illness cannot be overcome by testimony that the claimant did not appear to be ill nor by any amount of negative testimony.

TESTIMONY.

4130. The record of a former trial in the Order may be offered in evidence, and if it covers the same charges or claims as the present controversy, it is conclusive.

4131. The testimony of the prosecutor will be taken first and he will be required to present all the testimony he has to offer under the specifications, to which the accused has pleaded "not guilty."

4132. The testimony of the prosecutor having been given and previous to the presentation of evidence in defense the accused may raise either of the following points:

1. That the evidence presented by the prosecutor shows that the Lodge has not legal jurisdiction of the complaint contained in the charge.
2. That the evidence shows the charge to be frivolous.
3. That the evidence does not sustain the charge.

Should either of these points be sustained by the Committee it will close the hearing and prepare its report but should it be denied the investigation will be continued.

4133. In proceeding with the trial the accused will now be required to present his evidence in full. This being concluded the prosecution will have the right to introduce testimony to disprove or rebut any portion of the testimony presented by the defense.

4134. A case cannot be postponed to procure the testimony of an absent witness, when the other party to the proceedings admits all that it is assumed can be proved by such absent witness.

4135. At the present day the rule as to the order of introducing testimony is liberal. If, for any reason, the prosecution has failed to produce material evidence before the evidence of the defense has commenced it is still competent to allow the new testimony to be introduced by the prosecution at any time before the case is submitted for decision.

4136. It must be remembered that our Lodges are not courts, and it is very rare that Trial Committees have persons on them trained in the course of legal procedure, while, therefore, they should be kept within such bounds as may secure to an accused brother all his rights, justice is not to be subordinated to a mere following of forms. The order of proof is always a matter resting in the sound discretion of the judge before whom a case is being tried, and Trial Committees are not to be held to a rule more strict, unless it is shown that injustice has been done thereby. It may be that much of the testimony taken by the Lodge should have been taken in chief; but because it was not rebutting testimony is not sufficient to stamp it as error to receive it.

4137. New evidence may be introduced by the prosecution at any time before the case is finally submitted for decision, and such new evidence need not be confined to that which is merely rebuttal; justice requires that each party be allowed to introduce all competent evidence without regard to the time when such evidence is offered.

4138. The Lodge trying the charges should exercise a sound discretion as to the introduction of new evidence by either party, after receiving the Report of the Trial Committee.

4139. After trial has begun it is not error to allow one or two witnesses for the accused to state their testimony in order that they may retire nor for the Noble Grand while admitting the evidence, to state his opinion that the same is not relevant, the Lodge being the jury which considers the evidence in all its bearings.

4140. It was asked whether, after the report of a Trial Committee had been made to the Lodge, the report might be recommitted with directions to take further testimony, whether after the discharge of the Committee it might be referred to a new Committee to take additional testimony, and whether during the consideration of the report the Lodge might

receive further evidence? And it was answered that the purpose of a trial being to ascertain the truth as to the guilt or innocence of the accused, it would be unwise to limit or circumscribe the discretion of the Lodge in such matter by a General Law and that such questions should be left to the sound discretion of the Lodges and to local legislation.

4141. Testimony as to events occurring prior and subsequent to the time of the commission of the alleged offense, if material and relevant to the subject matter of the inquiry are properly receivable in evidence.

4142. The Trial Committee trying the charges should exercise a sound discretion as to the introduction of new testimony by either party after once closing the case on that side.

4143. A member of the Trial Committee is not a competent witness against the accused.

THE HOME FOR ORPHANS OF ODD FELLOWS OF PENNSYLVANIA

4144. This Home is working under a dispensation granted by the Grand Lodge of Pennsylvania. It was publicly dedicated in the name of the Order to the uses and purposes for which the Home is intended and formally recognized as one of the charities of the Order October 22, 1884.

4145. The charter of the Home, among other things, provides:

1. The name of this Corporation shall be "The Home for Orphans of Odd Fellows of Pennsylvania."

2. The purpose of this Corporation is to purchase or rent a building or buildings and ground for a Home for, and to support and maintain and educate therein, the orphans of Odd Fellows of Pennsylvania in such manner as the By-Laws may prescribe.

3. The main office of this Corporation, where the business is to be chiefly transacted, shall be in the City of Philadelphia.

4. This Corporation shall be composed of Representatives of the Grand and Subordinate Lodges, Encampments, Cantons, Rebekah Degree Lodges, and other bodies working under Charters from the Grand Lodge of the Independent Order of Odd Fellows of the State of Pennsylvania, and each Lodge, Encampment, Canton, Rebekah Degree Lodge, or other body, shall elect annually one member thereof, in good standing, to represent it in this Corporation, in such manner as the By-Laws may prescribe.

5. This Corporation shall exist perpetually.

6. The Board of Directors of this Corporation, which shall have the management of the affairs of this Corporation, shall consist of twenty-eight members, sixteen of whom, including the President, First Vice-President, Second Vice-President, Secretary and Treasurer, shall be male members of this Corporation, and twelve women, who are now or may be eligible to the Rebekah Degree, who shall be elected at such time as may be designated by the By Laws; and it shall be the duty of said Corporation to elect a President, First Vice President Treasurer and Secretary, and any other officers, etc. The Representative of the Grand Lodge shall be the Second Vice President.

7. The terms and modes of admission of Representatives, contributing members and inmates, the rights and duties of officers and members, the manner of supplying vacancies, the time and places of meeting, and all other matters pertinent to and necessary for the government of this Corporation shall be determined by the By Laws.

8. By Laws shall be made in conformity with this Charter, and not in violation of the Constitution and Laws of the United States and of this Commonwealth, by the Corporation, at a stated meeting, in such a manner as they may prescribe.

4146. The Home was incorporated in Philadelphia County, December 15, 1883.

4147. The Home is situated at northwest corner Twentieth and Ontario Streets, Tioga, Philadelphia.

THE HOME FOR WIDOWS AND ORPHANS OF ODD FELLOWS OF PENNSYLVANIA.

4148. The Home is working under a dispensation granted by the Grand Lodge of Pennsylvania. It was publicly dedicated in the name of the Order to the uses and purposes for which the home is intended and formally recognized as one of the charities of the Order July 23, 1891.

4149. Its charter, among other things, reads:

1. The name of the proposed Corporation is The Home for Widows and Orphans of Odd Fellows of Pennsylvania.

2. Said Corporation is formed for the purpose of establishing a home wherein the widows of Odd Fellows of Pennsylvania shall be supported and maintained, and their orphans maintained and educated in such manner as By Laws may prescribe.

3. The main office of the Corporation, wherein its business is to be transacted, shall be in the City of Allegheny.

4. Said Corporation is to exist perpetually.

5. This Corporation shall be composed of Representatives of the Grand and Subordinate Lodges, Encampments, Cantons, Rebekah Degree Lodges, and other bodies working under charters from the Grand Lodge of the Independent Order of Odd Fellows of Pennsylvania, and life members who have been made such previous to April 17th, 1894, and each Lodge, Encampment, Canton, Rebekah Lodge and other body shall elect annually one member thereof in good standing to represent it in the Corporation.

6. The Board of Directors, which shall have the management of the affairs of the Corporation, shall consist of twenty-eight members, sixteen of whom, including the President, First Vice-President, Second Vice-President, Secretary and Treasurer, shall be male members of the Corporation, and twelve women who are members of Rebekah Lodges, all of whom (except the Second Vice-President) shall be elected by members of the Corporation at such times as the By Laws may direct.

The Representative of the Grand Lodge shall be the Second Vice President.

4150. The Home was incorporated March 8, 1890, in Allegheny County.

4151. The Home is situated at Ben Avon, Allegheny County, Pennsylvania.

THE ODD FELLOWS' ORPHANS HOME OF CENTRAL PENNSYLVANIA.

4152. The Home is working under a dispensation granted by the Grand Lodge of Pennsylvania. It was publicly dedicated in the name of the Order to the uses and purposes for which the Home is intended and formally recognized as one of the charities of the Order October 11, 1898.

4153. The Charter, as approved by the Grand Lodge, *inter alia*, reads as follows:

1. The Corporation is known by the name, style and title of "The Odd Fellows' Orphans Home of Central Pennsylvania."

2. Said Corporation is formed for the purpose of purchasing a lot of ground or tract of land at or near the Borough of Sunbury, in the County of Northumberland, Pennsylvania, to establish and maintain a Home wherein orphans of deceased members of the Independent Order of Odd Fellows of the State of Pennsylvania shall be supported, maintained and educated in such manner as the Grand Lodge may direct and the By Laws prescribe.

3. The main offices of the Corporation wherein its business is to be transacted, shall be in the Home, unless otherwise provided for in the By-Laws.

4. Said Corporation is to exist perpetually and for charitable purposes only.

THE ODD FELLOWS' ORPHANS HOME OF CENTRAL PENNSYLVANIA.

5. This Corporation shall be composed of the Grand and such Subordinate Lodges of the Independent Order of Odd Fellows of the State of Pennsylvania who are now or may hereafter become members thereof.

6. Each Lodge shall or may elect annually, one member in good standing to represent it in the Corporation at such time and place as the By Laws may provide. The Grand Lodge officers shall be members of the Corporation ex officio.

7. The Board of Directors shall have the management of the affairs of the Corporation and shall consist of not less than ten, nor more than forty members, as provided in the By Laws, all of whom, except the Representative from the Grand Lodge, who is ex officio a member, shall be elected by the Representatives elected by the Lodges to the Corporation, at such time and for such terms as the By Laws may direct.

8. There shall annually be elected a President, one or more Vice-Presidents, Secretary, Assistant Secretary, and Treasurer from the Board of Directors, unless otherwise ordered by a three-fourth vote by the Directors of the Corporation, and at such time as the By Laws may prescribe; assistants may be appointed as may be deemed necessary.

9. The terms and mode of admission of orphans, and all other matters pertaining to and necessary for the government of the Corporation, shall be determined by the By Laws and rules to be established by the Directors of the Corporation under this Charter but not inconsistent to the laws of this Commonwealth or this Charter.

4154. The Home was incorporated September 28, 1896, by the Courts of Northumberland County.

4155. The Home is located near Sunbury, Northumberland County, Pennsylvania.

THE ODD FELLOWS HOME OF PENNSYLVANIA.

4156. This Home is working under a dispension granted by the Grand Lodge of Pennsylvania. It was publicly dedicated in the name of the Order to the uses and purposes for which the Home is intended and formally recognized as one of the Charities of the Order May 23, 1878.

4157. Its Charter reads, inter alia, as follows:

Article 1. The Name, Style and Title of this Corporation shall be "THE ODD FELLOWS' HOME OF PENNSYLVANIA."

Article II. The purpose of this Corporation is to purchase a Home for and to support and maintain Aged and Indigent Odd Fellows in such manner as the By Laws may prescribe.

Article III. The business of this Corporation is to be transacted in the County of Philadelphia.

Article IV. This Corporation shall be composed of Lodges and Encampments of the Independent Order of Odd Fellows working under Charters from the Right Worthy Grand Lodge and Right Worthy Grand Encampment of the State of Pennsylvania, and each Lodge and Encampment belonging to the Corporation shall elect one member thereof annually, to represent them in this Corporation, in such manner as the By Laws may prescribe.

Article V. Any Lodge or Encampment of Pennsylvania may become a member of this Corporation upon the payment of such fee and weekly dues as the By-Laws may prescribe, for the support and maintenance of this Corporation.

Article VI. The Board of Managers of this Corporation shall consist of a President, Vice President, Treasurer and nine Directors, who shall be elected at such time as may be designated by the By Laws, and any other officers that may become necessary for the purpose of the business of this Corporation may be elected in such manner as the By Laws may prescribe.

Article VII. The terms and mode of admission of Representatives and inmates, the rights and duties of officers and members, the manner of sup-

plying vacancies, and times and places of meetings, and all other matters pertinent to and necessary for the government of this Corporation, shall be determined by the By Laws.

4158. The Home is situated at Seventeenth and Tioga Streets, Philadelphia.

4159. The Home was incorporated in Philadelphia County, in Common Pleas No. 1, as of June term, 1875, No. 882.

4160. By dispensation of the Grand Lodge, a Lodge by a majority vote can become a member of The Odd Fellows' Home of Pennsylvania, and may contribute from its funds or assess its members for the support and maintenance of said Home.

4161. By the resolution of the Sovereign Grand Lodge, of 1870, under which this Home was created, it was provided that "the small weekly contribution of one cent per week from the membership of the several Subordinate Lodges would be sufficient to accomplish the object in view." But when a Lodge adopted the following By Law: "The dues of this Lodge shall be 16 cents per week, one cent of which shall be appropriated to the use of the Home for Aged and Indigent Odd Fellows," the Committee on By Laws of the Grand Lodge declined to approve the same for the reason that the By Law makes an appropriation without more dues. The Grand Lodge directed that if the Lodge amended their proposed By Law by striking out the word "appropriate" and insert "shall be set apart" in its place, the Committee on By Laws be directed to approve the same.

THE REBEKAH HOME.

4162. This Home is working under a dispensation granted by the Grand Lodge of Pennsylvania. It was publicly dedicated in the name of the Order to the uses and purposes for which the Home is intended and formally recognized as one of the charities of the Order, October 18, 1897.

4163. At the session of the Grand Lodge, May, 1898, the following report of the Committee on Homes and Kindred Charities, was adopted:—A petition from the Ladies' Auxiliary Board of The Odd Fellows' Home, for the recognition and establishment of a new Home to be known as the "Home for Wives and Widows of Odd Fellows," was referred to this committee This subject the committee has carefully considered, and while the aim and objects of this movement appeal to the strongest sentiments of charitable work, and point directly to the command of our Order, yet the committee fears that the tendency is to establish too many Homes, to separate and divide the charitable work of our institutions, and we think the time has now arrived when the tendency should be to centralize so far as location is concerned, and enlarge in capacity and educational features the Homes connected with the Order, it is plain and patent to all that the aggregate cost of our charitable work is greatly augmented by the establishment of many Homes with comparatively small capacities, while with a centralization of Homes few in number but with large capacities, the aggregate cost, the per capita cost, could necessarily be largely reduced. With this in view, and with the expectation that some way can be devised for the desired work of the Ladies' Auxiliary Board, we recommend similar action as was taken when the petition to establish the Central Pennsylvania Home was before this Grand Lodge. We, therefore, recommend that the petition be granted and permission for active work be given when a location permanent in character, with capacity for at least fifteen inmates, be provided, if possible in connection with some one of the Homes now in existence, the final determination and permission to be given by the Board of Grand Lodge Officers.

4164. The Charter of the Home, among other things, provides as follows:

1. The name, style and title of the Corporation will be The Rebekah Home.

THE REBEKAH HOME.

2. The Purpose for which the Corporation is formed is to carry into practical effect the principles of the Independent Order of Odd Fellows, particularly those of the Rebekah Branch thereof, by organizing, maintaining and supporting a Home or Homes wherein will be supported, cared for and sheltered the widows of Odd Fellows, the wives of Indigent Odd Fellows, Dependent Rebekahs and Dependent Members of an Association known as the Ladies' Auxiliary Board of The Odd Fellows Home of Pennsylvania.

3. The place where the business of the Corporation is to be transacted is the County of Philadelphia and elsewhere in the State of Pennsylvania.

4. The Corporation is to exist perpetually.

5. The names and residences of the subscribers are as follows: Helen E. Burt, Lizzie Strunk, Lilly Baugh, Emma Appell, Annie Kammerer, Fannie Walker, all of the City of Philadelphia.

6. The business of the Corporation shall be managed by a Board of Managers, which shall consist of twenty-seven members, including the President, Vice President, Secretary, Assistant Secretary and Treasurer, who shall be elected at the times and in the manner prescribed by the By Laws.

* * * * * * * * *

7. The Corporation has no capital stock. The membership thereof shall be composed of the subscribers and their associates, and also Representatives of the Grand Lodge and Rebekah Lodges of the Independent Order of Odd Fellows of the State of Pennsylvania and such lady members of said Rebekah Lodges as shall annually contribute towards its support such sums in such manner and under such stipulations as may be prescribed by the By Laws, and said Corporation shall have power by its By Laws for proper, just and legal course to provide for the exclusion, expulsion or suspension of any of the said members, and all property of said Corporation shall be held in Trust for the Rebekah Branch of the Independent Order of Odd Fellows for the uses and purposes hereinbefore set forth.

4165. The Home was incorporated September 27, 1899.

4166. The Home is located at the north east corner of Seventeenth Street and Allegheny Avenue, in the City of Philadelphia.

THIRD DEGREE.

See Degrees. Meetings. *See* Entering and Retiring.

4167. All the business of a Lodge is transacted in the Third Degree, except conferring the initiatory, first and second degrees and even then it is the same Third Degree Lodge only it is open in a lower degree for a specific purpose.

4168. If, when the By Laws of a Lodge require proficiency in the work of the Degrees already taken before advancement in the Degrees and the Lodge desires to pass upon the eligibility of an initiate to receive such higher degrees, while the examination must necessarily take place in the highest Degree which the initiate has taken, the Lodge must close in the Degree in which the examination was had and reopen in the Third Degree to decide whether or not the Lodge is satisfied with the proficiency shown by the candidate.

4169. A certificate to authorize a brother to receive his Degrees away from the location of his Lodge can only be granted by application to his Lodge at a regular session, when open in the Third Degree. When open in any other than the Third Degree the application cannot be made.

4170. It is legal for the Grand Lodge to provide in the Constitution that no member shall be entitled to benefits until he has received the Third Degree, nor until such length of time after receiving the said Degree as the By Laws prescribe.

4171. A brother obtained his Third Degree on a certain day. The By Laws say that a brother shall not become beneficial until six months after receiving the Third Degree. Soon after the brother received his Third Degree, he

THIRD DEGREE.

was taken sick. If his sickness continues he will be beneficial and entitled to benefits at the expiration of the six months.

4172. A brother is entitled to benefits who became sick or disabled between the time he received the Third Degree and the time the By-Laws of the Lodge provide for paying benefits to new members, and who remains sick or disabled after the time specified has elapsed.

4173. No person can be elected to any office in a Subordinate Lodge who has not attained the Third Degree.

4174. A Third Degree member in good standing in a Subordinate Lodge is eigible to election or appointment to any office in his Lodge except the offices of Noble Grand and Vice Grand.

4175. A Third Degree member in good standing in a Subordinate Lodge may be elected as the first Noble Grand or Vice Grand of a new or revived Lodge.

4176. A Third Degree member is eligible to appointment as Right Supporter of the Noble Grand.

4177. It being required that all the business of a Lodge shall be transacted while the Lodge is working in the Third Degree, not only all the officers of the Lodge, but these who hold positions in the Lodge, directly connected with its business interests, must be in possession of the Third Degree. Therefore a member who is not in possession of the Third Degree is not eligible to the position of Trustee.

4178. A candidate, immediately upon his admission to the Third Degree, becomes entitled to all the privileges of membership, among which is the right to speak or vote on any question before the Lodge.

TRANSFER OF MEMBERSHIP.

(a). As a Veteran.
(b). Without Change of Residence.
(c). With Change of Residence.
(d). General Regulations.
(e). Transfer Certificates, Past Grands.

4179. There are three methods by which a member may transfer his membership from his present to another Lodge. In two of these three methods the proposition, and in the other the application of the brother to the Lodge to which he desires to transfer his membership, is subject to the same rules, and will have the same reference, investigation and ballot as would be given to a proposition or an application for admission by deposit of a Withdrawal Card, except that in the third method hereinafter stated there would be no admission fee required hence there would be no deposit or proposition fee accompanying the application.

(Method No. 1.)

(a). As a Veteran.

4180. Any member of this Order who has been a contributing member twenty-five years, upon change of residence, shall have the privilege of applying for membership in any Lodge at his new place of residence without first applying for a Withdrawal Card from the Lodge in which he holds membership. Upon election of such brother by the Lodge to which he shall apply for membership, said Lodge shall notify the Lodge of which he is a member of such election, when, being free from all charges and the payment of all dues and fees, upon proper application he shall be entitled to a Withdrawal Card. Upon deposit of said card with the Lodge in which he has been elected, he shall be entitled to sign the Constitution and By Laws and be received in full membership from such time, upon the payment of the admission fees required by the By Laws of said Lodge.

4181. "Change of residence" in the above law of 1880 means from one place to another. Not from one Jurisdiction to another merely.

TRANSFER OF MEMBERSHIP.

(Method No. 2.)

(b). Without Change of Residence.

4182. Any member of a Subordinate Lodge or Rebekah Lodge of the Order holding a Visiting Card, or an Official Certificate showing dues paid in advance of its deposit, in force, shall have the privilege of applying for membership in any Lodge without first applying for a Withdrawal Card from the Subordinate Lodge in which membership is held. Upon election of such member by the Lodge to which application is made for membership, said Lodge shall notify the Lodge of which the applicant was a member of such election, when being free from all charges and the payment of all dues and fees, upon proper application shall be granted a Withdrawal Card.

4183. The provisions of the preceding section are General Law, and the Grand Lodge cannot limit the same to those making "a change of residence."

4184. The Visiting Card or Official Certificate need not be returned to the Lodge issuing it when it is deposited with another Lodge upon which to apply for membership. If elected, a certificate of election from that Lodge entitles a brother to a Withdrawal Card if he is free from all charges on the books of his Lodge.

(Method No. 3.)

(c). With Change of Residence.

4185. A member of the Order entitled to a Withdrawal Card, changing his residence from the Territorial Jurisdiction of his own Lodge to the Territorial Jurisdiction of another, and desiring to unite with a Lodge at his new place of residence, upon so stating in his application for membership, and being elected by ball ballot, as provided by local law, shall be entitled, upon notice being sent to his old Lodge by the new Lodge, to receive a Withdrawal Card at the actual cost of the card to the Lodge, and to admission to his new Lodge without being required to pay a card or admission fee; but where a physician's certificate is required he must pay the expense of the same.

4186. Upon the proposition to repeal this law, the Sovereign Grand Lodge is opposed to it. It has proven to be a good law of benefit, and value to the Order as a whole, as well as to the individual members who have changed their residence, and who desire to remain in active and continuous membership. In regard to the proposition to require an extra fee beyond a certain age, to adopt such a proposition would be to practically repeal the law, and would lead to an unjust discrimination among the brethren of the Order. In regard to the proposition to extend the law to all branches of the Order, the Sovereign Grand Lodge authorized the same.

4187. This privilege applies only to members, and is available only on the conditions specifically set forth in the resolution. Thus in order that a member of the Order shall be entitled to the benefits conferred, the following facts at least, must exist:

1. He must be a member of the Order entitled to a Withdrawal Card.
2. He must change his residence from the Territorial Jurisdiction of his own Lodge to the Territorial Jurisdiction of another.
3. Desiring to unite with a Lodge at his new place of residence, and upon so stating in his application for membership, and upon being elected by ball ballot, as provided by local law, he shall be entitled, upon notice being sent to his old Lodge by the new Lodge, to receive a Withdrawal Card at the actual cost of the card to the Lodge.
4. Having so received the Withdrawal Card from his old Lodge, he may deposit it with the new Lodge he desires to join in the vicinity of his new place of residence, without being required to pay a card or admission fee; except that where a physician's certificate is required he must pay the expense of the same. This method of transfer of membership from one

TRANSFER OF MEMBERSHIP—With Change of Residence.

Lodge to another is only available where the conditions mentioned in the resolution exist, and such provisions are complied with.

4188. The law in relation to the transfer of membership from one Lodge to another by Odd Fellows changing their places of residence, became operative as to the entire jurisdiction of the Sovereign Grand Lodge on January 1, 1905, and the amendment thereto became operative in like manner on January 1, 1907. After that date no other charge can be made for admission under the circumstances named beyond the charge designated in the resolution. The resolution, however, only applies to brothers coming strictly within the conditions and facts set forth and described in the resolution as set forth in Section 4185.

4189. The resolution of 1904 does not apply where there are two or more Lodges in the same Territorial Jurisdiction, so as to permit transfer of membership from one to another. The language of the resolution is explicit in describing the conditions under which, and the persons who are entitled to the benefits and advantages.

4190. A brother seeking to transfer his membership under the resolution of 1904, as amended in 1906, is not proposed on a regular proposition blank by a member of the Lodge which he wishes to join, said proposition blank requiring the proposition fee to accompany it. The brother must make application in writing, stating his desire to unite with said Lodge and setting forth in his petition all the facts necessary to entitle him to the benefits of the resolution of 1904 as amended in 1906.

4191. The following form of application may be used:

To the Officers and Members of Lodge, No....,
working under the Jurisdiction of the Grand Lodge of the
Independent Order of Odd Fellows of Pennsylvania.

I respectfully request admission into this Lodge, and in consideration of such admission I promise and agree that, if elected, I will conform to the Constitution and By Laws of your Lodge and those of the Grand Lodge of Pennsylvania, and that I will seek my remedy for all rights on account of said membership or connection therewith, in the tribunals of the Order only, without resorting for their enforcement in any event or for any purpose to the civil courts.

My age is.....years, my occupation is....., my residence is

The facts upon which I base my right to transfer my membership, under the resolution of the Sovereign Grand Lodge of 1904, as amended in 1906, are as follows:

.....
.....
.....

Dated

Witness..... Signed.....

4192. The application to a new Lodge need not be accompanied by an Official Receipt or a Withdrawal Card. The facts necessary to support the application must appear in the petition itself, as the resolution provides. This petition in addition to the facts set forth in the ordinary application for membership must state that the applicant is a member of the Order entitled to a Withdrawal Card from his lodge (naming it), or that he holds such a card in full force (producing it), that he changed his place of residence from the Territorial Jurisdiction of his own Lodge to the Territorial Jurisdiction of the one he now desires to join, and that he desires to join such Lodge. If on this petition he is elected, by ball ballot, as provided by local law, notice should be given by the new Lodge to the old Lodge whereupon he shall be entitled to a Withdrawal Card from his old Lodge (if he does not already hold one in full force), and to admission to the new Lodge on the conditions stated in the resolution of 1904 as amended in 1906.

TRANSFER OF MEMBERSHIP—With Change of Residence.

4193. The law applies to a brother entitled to a Withdrawal Card or holding a Withdrawal Card in full force who changes his place of residence from the territorial jurisdiction of his own Lodge to the territorial jurisdiction of another, and who desires to unite with a Lodge at his new place of residence. The holding of a Dismissal Certificate or an Official Receipt, or expired Withdrawal Card, is not sufficient. He must hold or be entitled to hold a Withdrawal Card.

4194. If a brother holds a Withdrawal Card in full force it is of the same effect as though he were entitled under the provisions of the resolution, however, either on an official certificate or a visiting card.

4195. If the brother holds the Withdrawal Card thus secured for more than one year before he presents it to the Lodge of his new residence for membership, the resolution of 1904 does not still apply, and he cannot legally be admitted without fee.

4196. The change of residence need not have occurred after the enactment of this legislation, nor after the date of the Withdrawal Card, but must have been after he joined the Lodge from which he proposed to withdraw. If residing in the Territorial Jurisdiction of one Lodge he lawfully joins another more distant from his residence in whose Territorial Jurisdiction he does not reside, he cannot claim the benefit of this law to alter his choice.

4197. There is no limit in the resolution as to the time within which the application must be made after the change of residence.

4198. A brother changes his residence and complies with all the conditions of the resolution on transfer of membership, passed by the Sovereign Grand Lodge session of 1904, except that he receives a Withdrawal Card from his old Lodge at the time of his removal, and presents it with his application for membership to the Lodge of his new residence while it is still good for visiting purposes, and is elected to membership thereon, of course the old Lodge cannot charge any fee for the Withdrawal Card, because the brother already has a Withdrawal Card in full force. If he complies with all the other conditions he can use that card. The new Lodge, if it elects him to membership, cannot charge an admission fee beyond the cost of the medical certificate, when it is required.

4199. The Constitution for Subordinate Lodges in a certain Jurisdiction reads:—"The fees for membership when the applicant is forty-five years of age or under, shall be as follows: For initiation not less than five dollars; by Withdrawal Card or Dismissal Certificate, not less than three dollars, with the addition in all cases of one dollar for each year that his age exceeds forty-five years." Does the new legislation, "and to admission to his new Lodge without being required to pay a card or admission fee," make the last clause quoted above inoperative in transfer by card? Where the brother transfers his membership from his old Lodge to a new Lodge on a Withdrawal Card by reason of his change of residence, under the conditions set forth in the resolution of the Sovereign Grand Lodge on this subject passed at the session of 1904, and amended in 1906, that resolution repeals and overrides the local law as found in Subordinate Lodge Constitutions. This statement of the law, however, applies only to cases that come strictly within the provisions of the resolution, and where all the conditions set forth in that resolution exist and are complied with.

4200. It is not necessary in transferring membership under the terms of the law of 1904 for a member to accompany his application with a Visiting Card, Official Certificate or any of the evidence of good standing except that the application itself must set forth all the facts necessary to bring the applicant within the provisions of the law.

4201. Where a brother applied for transfer by card, tendering fees as called for by the Constitution and By Laws of the Lodges before this new Legislation was effective and was accepted, neither the Lodge nor the brother being

aware of the new laws. It was held that if the brother came within the provisions of the resolution of 1904 and complied with all its conditions and the application was made as provided by the resolution, and since January 1, 1905, he would only be liable to pay in accordance with that resolution. Under these conditions and the fees being paid by the brother they should be returned to him.

4202. The resolution of 1904 on the subject of transfer of membership by Withdrawal Card does not prevent a Lodge from accepting with his application for transfer of membership by card, fees which had been tendered by the brother who felt a Lodge should not be asked to assume the risk of his benefits without some recompense. There is nothing to prevent the Lodge from accepting a voluntary contribution so made; provided the brother made it as a voluntary payment, and with a full knowledge of his rights in the matter.

4203. The resolution of 1904 does not prohibit in the future all Lodges from charging an admission fee to members seeking admission in their Lodge by card or certificate under circumstances other than those recited in the resolution as it applies only to brothers who come within its descriptive provisions.

4204. The law of 1904 relative to transfer of membership by card or certificate does not contemplate any age limit. Under the resolution the Lodge of course, has the right to determine whether it will admit the candidate to membership. When it does decide to admit to membership by election then the resolution of 1904 applies. Provided, of course, all the conditions contemplated in the said law exist and have been complied with.

4205. The law of 1904 as to transfer of membership applies to quasi independent Grand Lodges where the members of such Jurisdictions desire to transfer membership to a Lodge in a Jurisdiction directly under the Sovereign Grand Lodge. For example, a member of the Order in Australia who has recently removed to Pittsburgh, may transfer his membership without fee as provided in the said law of 1904 relative to transfer of membership.

(d). General Regulations.

4206. A brother desirous of availing himself of the provisions of the transfer of membership law, shall send with his application for a Withdrawal Card, the sum of 25c. (cost price of the card), and an additional amount equal to four weeks' or one months' dues, which shall entitle the brother to the protection of the Lodge from which he proposes to withdraw, as far as benefits are concerned, for the period of four weeks or one month, or such less time as may be necessary to complete the transfer of his membership.

4207. A favorable ballot under the transfer of membership law cannot be reconsidered.

4208. It is necessary that the Lodge in which a brother applies for membership shall notify the Lodge issuing the Visiting Card or Official Certificate of his election, and thereupon the brother must apply for the necessary Withdrawal Card, but the Secretary of the Lodge may apply for such card at the instance and by the authority of the brother.

4209. When application for a Withdrawal Card is made by the Secretary of the Lodge to which the brother has been elected, in writing and under the seal of the Lodge, authority from the brother to make such application shall be "presumed" in the absence of evidence to the contrary.

4210. When an applicant is elected to membership upon either of the methods of transfer of membership, whether by a deposit of a Visiting Card or of an Official Certificate or as a Veteran or by reason of removal of residence from the Territorial Jurisdiction of the Lodge, it is the duty of his former Lodge, upon application and in the absence of charges, to grant a

Withdrawal Card, and upon refusal of the Lodge to grant the Withdrawal Card, the Grand Master shall direct its issuance by the Lodge.

4211. The deposit of a Visiting Card, Official Certificate or Application for Membership or election to membership under the transfer of membership in another Lodge, does not sever membership in the Lodge of which the brother is a member until a Withdrawal Card has been granted. In such case where the Withdrawal Card applied for has been withheld by the Lodge, the same cannot be granted after such brother becomes sick or insane, so as to relieve the Lodge from payment of benefits.

4212. When a brother has been elected to membership in another Lodge upon a Visiting Card or Official Certificate, or was elected under either method of transfer of membership, and applies to his old Lodge for a Withdrawal Card, which the Lodge refuses to grant the Grand Master shall direct such Lodge to grant a Withdrawal Card; provided the brother is entitled under the law to transfer his membership, no charges having been filed against the brother after the issuance of the Visiting Card or Official Certificate and before the application for a Withdrawal Card.

4213. A brother who is elected to membership in another Lodge upon deposit of Visiting Card, Official Certificate or under either method of transfer of membership, and who fails to deposit a Withdrawal Card from his original Lodge in the new Lodge does not perfect his membership in the new Lodge.

4214. Upon deposit of said Withdrawal Card with said Lodge, to which he was elected, he shall be entitled to sign the Constitution and By-Laws and be received in full membership from such time upon the payment of the admission fees required by the By-Laws of said Lodge, except where the transfer of membership is made under the resolution of 1904. Then no admission fee is required.

4215. A brother complies with the requirements of the law for the transfer of his membership and is elected in a new Lodge, and thereupon his old Lodge upon being informed of this fact grants a Withdrawal Card. During the time the card is in transit the brother becomes ill. It was held that the granting of the Withdrawal Card under the circumstances severed his membership in the Lodge issuing the same. That the Lodge that elected him to membership cannot prevent his signing the Constitution simply because he is sick after his election. If otherwise qualified under the law he will be entitled to benefits from his own Lodge as soon as his Withdrawal Card is received by said Lodge and he signs or offers to sign its Constitution.

4216. Where a member transfers his membership under the transfer of membership law by joining a Lodge whose Constitution requires six months' membership before becoming beneficial, he becomes subject to that provision.

4217. The transfer of membership law does not apply to those who desire to become charter members of new Lodges.

4218. An initiate moved to another Jurisdiction than that where the Lodge in which he held membership was located, and received on order the First Degree. He sent for a statement of the dues he was owing and the cost of a Withdrawal Card on November 15, and, receiving said statement paid the same on November 26, but on November 13 he was received as an applicant for a charter for a new Lodge forming in the Jurisdiction in which he was then residing, and, under dispensation from the Grand Master thereof, was made a charter member of the new Lodge aforesaid and had the Second and Third Degrees conferred upon him, and was finally elected and installed as Vice Grand of the said new Lodge. The action of the Lodge, beyond the election of the applicant to membership was wholly illegal.

TRANSFER OF MEMBERSHIP—General Regulations.

4219. In the matter of the organization of new Lodges where the charter members meet and organize by electing a Chairman and Secretary, and a sufficient number of members in good standing in their Lodges decide to procure a charter for a new Lodge and authorize the Secretary of the meeting, in writing, to procure for each of them a Withdrawal Card from their Lodge, and deposit with him their official receipt, showing dues paid up beyond the date of presentation of their receipt, such members are nevertheless required to pay for admission as charter members, paying under the above condition the minimum fee of $5.00, they cannot become charter members under the provisions of the law passed by the Sovereign Grand Lodge, which took effect January 1, 1905. The resolution passed at the San Francisco session of the Sovereign Grand Lodge in 1904, on the question of transfer of membership by Withdrawal Card on change of residence, has no application whatever to the case stated. The law as it existed before the passage of that resolution governs the case.

4220. The law as to the transfer of membership passed by the Sovereign Grand Lodge in 1904, has no application to a case where a new Lodge is to be instituted in a locality where members of older Lodges desire cards to become Charter members of the new Lodge, or perhaps to unite with the new Lodge after its organization as the new Lodge is nearer and more convenient to them.

4221. When a brother is elected to membership upon a transfer of membership, he does not become a member of the new Lodge until he has obtained a Withdrawal Card from his former Lodge and deposited it in his new Lodge. Until this is done he must pay his dues to and is entitled to benefits from his former Lodge. Such brother does not become a full member of the new Lodge until he has signed its Constitution and By-Laws, and he cannot sign the Constitution and By-Laws of the Lodge electing him until his Withdrawal Card from his former Lodge has been granted and deposited.

4222. A brother elected by either of the methods of transfer of membership who dies after the grant of a Withdrawal Card by his former Lodge and before he deposits the same with the new Lodge is not a member of either Lodge, and his beneficiaries have no claim against the Lodge for benefits unless he has paid his dues to his old Lodge for four weeks in advance of his withdrawal, and his death occurs within that period, and before the Withdrawal Card is deposited in the new Lodge.

4223. A brother deposits his official receipt in another Lodge and is elected to membership, his dues cease in his former Lodge on the date his Lodge grants him a Withdrawal Card. But he may pay his dues and be protected for benefits in the old Lodge for a period not exceeding one month or such time as may be necessary to make the transfer after the issuance of the Withdrawal Card.

4224. Whether a non-beneficial member who makes application for transfer of membership on being elected and completing his membership becomes a non-beneficial member in his new Lodge, he being at the time of his admission thereto an affiliated Odd Fellow, depends entirely upon the legislation of each jurisdiction on the subject.

4225. It seems, although it is not clearly stated, that a brother suspended for non-payment of dues and entitled to a Dismissal Certificate may transfer and renew his membership without first severing his quasi membership in his old Lodge, and that upon election in his new Lodge the Secretary thereof will notify his old Lodge and that "when application for a dismissal certificate is made by the Secretary of the Lodge to which the brother has been elected, in writing, and under the seal of the Lodge, authority to make such application shall be presumed in the absence of evidence to the contrary.

TRANSFER OF MEMBERSHIP.

(e). Transfer Certificates (Past Grands.)

4226. When a Past Grand deposits his card in a Lodge, or becomes a Charter Member of a new Lodge, a Transfer Certificate must at once be sent to the Grand Secretary.

4227. A Past Grand who is a member of a Subordinate Lodge in this Jurisdiction and has received his Degrees and served in the office of Noble Grand in a regularly chartered Lodge of the I. O. O. F. under the Jurisdiction of some other Grand Lodge, may be admitted to membership in the Grand Lodge upon producing a certificate from the Lodge of which he is a member in form following, viz:

..... Lodge No.....

To the Grand Lodge of Pennsylvania, I. O. O. F.

This is to certify, that Past Grand is a member in good standing in this Lodge; that he has received the First, Second and Third Degrees of the Order, and that, at his admission to membership, this Lodge received full evidence that he had served one elective term in the office of the Noble Grand, and that this Lodge declares him entitled to membership in the Grand Lodge of the I. O. O. F., of Pennsylvania, and request that he may be received and acknowledged as such.

Witness our hands, and the seal of the Lodge, this day of..... 19

.....N. G.

Attest Secretary.

(Seal)

4228. A Past Grand who has passed the chair in a Lodge in this jurisdiction, and who deposits his card in another Lodge shall be acknowleged upon presenting to the Grand Lodge a certificate from the Lodge in the form following, viz:

.....Lodge No. I. O. O. F.

To the Grand Lodge of Pennsylvania, I. O. O. F.:

This is to certify that Past Grand formerly of Lodge, No., has deposited his card in Lodge, No. and we request that he may be acknowledged accordingly.

In witness whereof, we have hereunto set our hands and affixed the seal of the Lodge, this day of 19

.....Noble Grand.

(Seal) Attest, ... Secretary.

TREASURER.

See Bonds.

4229. A Treasurer of a Lodge, before entering upon his duties, should execute a bond to the Trustees of the Lodge in double the amount of the funds entrusted to his keeping during his term (or terms) of office. And where the said Treasurer is a freeholder, owning real estate in his own name in fee, the clear value of which is, above all encumbrances double the amount of said bond, his individual bond may be accepted, provided the same be entered up in the office of the Prothonotary of the Court of Common Pleas for the county in which his said property is situated. And said bond, if it contains a clause continuing said security from term to term, may be considered sufficient for the full end and term of five years from the date of entering the same. But in all cases where said treasurer is not qualified as aforesaid, or additional security may be demanded, the said bond must be signed by at least two additional sureties of sufficieut means to indemnify the Lodge against any loss, which said bond may or may not be entered up; but in such cases it must be renewed, and be approved annually before the installation of said Treasurer.

TREASURER.

4230. The above is not intended to apply in the use of the word "funds,"—to investments in securities by the Lodge in the name of the Trustees, and that cannot be disposed of excepting by resolution of the Lodge and through its Trustees. It is intended to apply to all moneys, securities or evidences of value entrusted to his keeping during his term of office, and which he can convert into money or dispose of without direction of the Lodge or its Trustees.

4231. The Constitution for Subordinate Lodges does not prohibit a Lodge from accepting a member of the Order as surety upon the bond of a Treasurer for the faithful performance of his duty.

4232. It is the duty of the Treasurer to collect from the Secretary at every meeting night, the entire receipts of the evening, if the Secretary fails to pay them to him each meeting night, the Treasurer should demand the same from him at the close of the meeting, and if on demand he fails to pay the money to the Treasurer, he must at once report this fact to the Lodge that it may take action at once, and also that the Treasurer and his bondsmen may not be held liable for his neglect of duty.

4233. A Lodge may legally require its Treasurer to deposit the Lodge funds as "Treasurer of Lodge. No. I. O. O. F."

4234. When a Financial Officer of a Subordinate Lodge refuses to settle his accounts and deliver all moneys, books and papers belonging to the same over to the Lodge, he cannot of right demand a Withdrawal Card, and a Lodge may refuse to grant such card until the brother's accounts are adjusted and the Lodge is satisfied that he is clear of the books and free from all charges of whatsoever kind.

TRIAL.

(a). Organization of the Trial Committee and Attendance of Accused.
(b). Counsel and Continuances.
(c). Powers and Duties of Trial Committee.
(d). Pleadings.
(e). The Proceedings Before Trial Committee.
(f). Report and Findings of Trial Committee.
(g). Proceedings Before Lodge.
(h). Jurisdiction of a Court of Equity to Review the Proceedings.
(i). Costs.

See Penalty.
Costs.
Warden.
Prosecutor.
See Witness.
Evidence.
Charges.
Testimony.

4235. The Trial Code in the Book of Forms should only be used by Lodges so far as it is applicable to the laws of the Grand Lodge of the jurisdiction.

(a). Organization of the Trial Committee and Attendance of Accused.

4236. When charges were preferred against the Noble Grand and also against another brother of the Lodge. The same Committee can act in both cases, if they are separately selected in each case, and each case is tried separately, and both cases can be tried at different times on the same day.

4237. The first named member of the Trial Committee shall, within one week after receiving notice of his appointment, call a meeting of the committee for organization, when a Chairman and Secretary shall be elected and a suitable time and place be appointed for an adjourned meeting, which shall not be held in less than two weeks, at which the accuser and accused shall be notified to appear and proceed with the trial.

4238. A copy of the charges clearly setting forth the offense duly attested will be handed or mailed by the Trial Committee to the accused, together with a like duly attested notice of the time and place of the Trial Committee meeting, to examine witnesses and affording him reasonable time to prepare

TRIAL—Organization of the Trial Committee and Attendance of Accused.

for his defense, giving him at least ten days' written notice and full opportunity to be present at the examination.

4239. For this purpose the committee may use the following form:

.....Lodge, No.....
.....19...

To.....
Sir and Brother:

You are hereby notified that on the day of, A. D. 19..., charges and specifications, of which a certified copy, under the seal of the Lodge, is herewith served on you, were preferred against you and filed in said Lodge and were referred for trial to the undersigned committee.

You are hereby required to appear before said committee, at....., on day of, A. D. 19..,, at o'clock M. of that day, to make answer to said charges, and proceed with the trial thereof. In default of which you will be reported to said Lodge as being guilty of contempt thereof.

.....,
.....,
....., Committee.
.....,
.....,

This will be made out in duplicate, one copy to be given or handed to the accused, the other to be retained and filed among the records of the Trial Committee.

4240. If the notice of the committee's meeting as aforesaid is served on the accused, the following endorsement will be made on the back thereof:

.....19...

I hereby certify, That on the day of, A. D. 19...., at, State of, I served the within notice, also the charges and specifications referred to therein, by delivering to and leaving with said....., the accused, a copy of said notice, attached to a duly attested copy of the charges and specifications against him certified under the seal of the Lodge.

.....,
Member of said Lodge.

4241. If the accused will do so he may, in writing, accept service of notice of the time and place of meeting of the Trial Committee and acknowledge the receipt of a copy of the charges and specifications, which, if practicable, should be endorsed on the copy of the notice retained by the committee as follows:

.....19...

I hereby accept due service of the within notice, also of a duly certified copy under the seal of the Lodge, of the charges and specifications referred to herein, this day of, 19.....

.....

4242. In cases where charges are preferred against a brother in the Lodge to which he may belong, but, from having absconded or from his permanent absence or concealment, he cannot be found, so that the charges preferred or notice of trial cannot be personally served upon him, the Lodge may direct the Trial Committee to regularly proceed with the trial upon proof of the facts rendering such personal service impracticable, and that a copy of the charges and notice of trial has been deposited in the post-office nearest the last known residence of such brother, directed to him at such place of residence, post paid, and that a like copy of the charges and notice of trial was left at his last place of residence, if the same be known; provided, that such papers shall be deemed to have been served upon the brother only from the date when the constructive service above prescribed is complete, and provided further, that in case such brother returns after the conclusion of his trial, not having appeared on such trial, either in person or by counsel, and asks for a new trial, the same shall

be granted him. An absconding member cannot be tried without the issuing of a citation pursuant to the foregoing requirements.

4243. Notice to appear before a Trial Committee must be served according to the letter of the law prescribed as a general and local requirement for such service, and when such notice has not been properly served, the accused should have the benefit of the doubt.

4244. If the accused refuses or wilfully neglects to stand trial by failing to appear, either in person or by attorney, at the meeting of the committee, he cannot be formally tried on the charges, and in such case the Lodge may expel him for contempt.

4245. If a brother guilty of an offense which would subject him to trial and punishment by his Lodge, should, before charges are preferred or after charges have been preferred, and after notice thereof shall have been served on him, wilfully absent himself so that such notice cannot be served on him, he may be expelled for contempt. Beyond this the Lodge cannot proceed in action based upon the filing of charges.

4246. Should a member under charges neglect or refuse to attend the meeting of the committee in person or by representative, the trial cannot be proceeded with, but the member charged may be expelled for contempt. The report of the Trial Committee of the failure or neglect of the member charged to appear before them constitutes a charge of contempt, the charges and notice of the Trial Committee's meeting having been regularly served upon him.

4247. A member charged with contempt by the report of the Committee on Trial must be notified of the charge so as to afford him an opportunity to prove his innocence of intentional contempt.

4248. When contempt is charged against a member, the trial thereon shall be had before the committee appointed upon the original charge.

4249. If he shows good cause for non-attendance and disprove contempt, the committee will proceed with the trial; there can be no contempt where absence is compulsory. In case a member under charges is suffering imprisonment for a crime, after having been legally convicted thereof, the record of the court may be taken and the committee report the attending facts of the case, with a resolution to suspend or expel.

4250. When a party is expelled for contempt in not appearing for trial, the record should by some positive evidence show that a copy of the charges were served on accused, as well as a sufficient notice of the time and place of trial, and a summons to the accused to be present.

4251. It is the duty of the accused, if he receive a notice or summons to appear for trial, even on insufficient charges, to have been present at the time and place and to have made any objections which he might have had to the proceedings.

4252. If the brother appear and confesses his guilt it is not necessary to proceed to trial. The committee reports the facts in the regular way and the trial proceeds in the Lodge as though the regular hearing had taken place before the Trial Committee.

4253. If a member acknowledges that he has been guilty of some unworthy action and pleads guilty, so as to relieve himself from the disgrace and mortification of a trial, involving exposures that would probably carry unhappiness into the bosom of his family. In such case he may be punished without going through all the forms of a trial, examining witnesses, etc.

4254. If the brother desires to contest the charges he must appear before the committee either personally or by being represented by counsel.

4255. A brother may be tried in his absence, provided the required forms have been complied with, and he is represented by counsel of his selection.

TRIAL—Organization of the Trial Committee and Attendance of Accused.

4256. When a brother appears before the Trial Committee, either personally or by counsel, or both, he confers upon the Trial Committee full jurisdiction to try the charges, and if at any stage of these proceedings he and his counsel retire, the Trial Committee, by giving him notice of their meetings, may proceed to a final determination of the case and make their report to the Lodge. It must, however, clearly appear that the brother was afforded every opportunity to be present at each and all of the meetings held by the Trial Committee, and thereupon by proceedings according to law by giving the brother notice, etc., of the filing of the Trial Committee's report and of the date of hearing, the Lodge may try the case, and if the brother is found guilty, punish him.

(b). Counsel and Continuances.

(a). Counsel. (b). Continuances.

(a). Counsel.

4257. A counsel in an appeal case must be a member of the Order in good standing and neither the counsel nor the committee from a Lodge can be admitted without proper credentials attested by the Noble Grand and seal of the Lodge.

4258. A brother against whom charges are preferred has the right to be represented by counsel.

4259. A brother under charges cannot be represented before a Trial Committee by counsel who are not members of the Order.

4260. A witness can act as attorney for either of the parties before the Commissioner.

4261. A Lodge has a right to have but one counsel to represent them in their appeal case or in the trial procedure. There is, however, no law to prevent either the Lodge or appellant from employing assistant counsel.

4262. A brother who appears before the Trial Committee by counsel, ready to proceed with the case, is not guilty of contempt of the Lodge and cannot be punished in such case for not appearing in person.

4263. The counsel has the right to examine his client's witnesses and to cross-examine those presented by the other side.

4264. A brother is not bound to accept employment as counsel, and if he does accept, he is bound to use all honorable means in his defence, nevertheless he is not thereby relieved from a worthy member's fealty to the Order and its membership. A member's fealty to the Order is greater than to any individual member thereof.

4265. A member of a Lodge, acting as counsel for a brother under trial, has the same right to vote on the penalty that he would have were he not counsel.

4266. If counsel, a member of the Order, representing the accused before a Trial Committee becomes offensive in his conduct and bearing towards the committee, they may order him to leave the room, and if he continues disobeying, eject him, but if the accused desires he shall be given reasonable time to secure other counsel.

4267. Where counsel, representing the accused, in addressing the Trial Committee before going into the evidence of the case, impugned its integrity by saying that he knew "There was no use in making objections," that he knew "he was up against it," that he "did not expect fair play at the hands of the committee," and refused to obey the orders of the committee in maintaining order and resuming his seat, when directed, the Trial Committee had full power to refuse to permit him to be heard and to ask that the accused shall secure other counsel, and the Trial Committee may order the name of such counsel stricken from the record and order him to leave the room in which the trial is being conducted.

TRIAL—Counsel and Continuances.

(b). Continuances.

4268. At the time fixed by the committee, if, by sickness or unavoidable occurrence the accused is prevented from appearing, this fact on being shown should give him a continuance of the case.

4269. A continuance ought to be to a day and place certain; the case ought not to be postponed indefinitely.

4270. If it shall appear, to the satisfaction of the Lodge, upon complaint of the accused that a Committee on Charges have intentionally and wilfully delayed, for an unusual and unnecessary length of time, the trial of a case which they have been selected to try, and shall fail to make report thereon when called upon by the Lodge, the committee may be discharged and another committee appointed, who shall proceed and try the case *de novo*.

4271. The members of the Trial Committee for undue delay in, or refusal to proceed with, the hearing, may be placed upon trial upon charges preferred against them.

4272. A case cannot be postponed to procure the testimony of an absent witness when the other party to the proceeding admits all that it is assumed can be proved by such absent witness.

4273. The question of postponement of the trial is entirely in the discretion of the Lodge, and the refusal to hear the attorneys of the accused on that subject is no ground for appeal.

(c). Powers and Duties of Trial Committee.

4274. The Trial Committee has full power to compel an orderly transaction of business before it.

4275. The committee to whom charges have been referred, having given the brother charged a reasonable notice of the time and place of its meetings to examine witnesses, should meet at the time and place stated in the notice to the accused.

4276. The time and place of the meeting of the Trial Committee cannot legally be fixed for the Lodge room at the hour of the meeting of the Lodge.

4277. A Trial Committee, after having taken testimony at several meetings, at which the accused and his counsel were present, adjourned to the Lodge room at the hour of the meeting of the Lodge. The counsel of the accused, an Odd Fellow in good standing, could not gain admittance, not having either the password or a card, and in consequence of this the accused, after objecting to proceeding with the trial in the absence of his counsel, left the Lodge room. The committee reported charges against him of contempt and he was expelled. This was held to be error and the brother was reinstated.

4278. All persons will be excluded from the room except the parties and their counsel and the witness under examination, and admit and examine the latter separately.

4279. The accused and the accuser shall each have the right to be assisted by counsel, who must be a member of the Order in good standing.

4280. The committee must keep a correct journal of its proceedings independent of and not in connection with the testimony.

4281. Except upon a trial for contempt, if the accused is not present at the first meeting of the committee, either personally or represented by counsel, the trial cannot proceed, and if it appears that the accused is avoiding trial, and therefore will not appear, the committee cannot adjourn to another day, but must report to the Lodge, and a charge of contempt may be preferred, which will be referred to this same committee.

TRIAL—Pcwers and Duties of Trial Committee.

4282. The committee must not delay the hearing of a case any further than may be necessary to give the parties an opportunity to present and examine their witnesses, and must present its report to the Lodge at the earliest meeting after the case has been closed.

4283. If the accused after having appeared, either by coming personally or by counsel, should absent himself personally or by counsel from the remainder of the meetings of the committee, it will not prevent the trial proceeding, provided the accused has notice of each meeting and be accorded a fair opportunity to be present at each and all of the meetings of the trial committee.

4284. The testimony of each witness examined must be fully taken down and written with ink by one of the committee, or in type writing. The testiimony to be legibly written on one side of the paper only, and at the close of his examination be read to the witness, which if correctly taken, must be signed by him.

4285. The testimony may be taken by a stenographer a member of the Order and afterwards reduced to typewriting and signed by the witness.

4286. The trial committee, at the request of either party, will send a formal summons to a witness to appear at a certain time and place when the trial committee will meet and give his testimony in the matter before them.

4287. If a witness be objected to, or a question be asked a witness and it be objected to, the committee will enter the objection or question objected to on the journal, together with the opinion of the committee upon its admission or rejection. No exception can be taken to improper or incompetent testimony after the case has been closed by the committee, unless objections be raised thereto at the time such testimony was offered.

4288. The testimony to sustain the charge should be taken before the brother charged can be compelled to produce his witnesses. Rebutting testimony may be offered by either party after the direct examination has been closed.

4289. Any arrangements can be made in relation to taking the testimony in any case that the parties thereto, with the consent of the committee, may agree to.

4290. It must be remembered that our Lodges are not courts, and it is very rare that trial committees have persons on them trained in the course of legal procedure; while, therefore, they should be kept within such bounds as may secure to an accused brother all his rights, justice is not to be subordinated to a mere following of forms. The order of proof is always a matter resting in the sound discretion of the judge before whom a case is being tried, and trial committees are not to be held to a rule more strict, unless it is shown that injustice has been done thereby. It may be that much of the testimony taken by the Lodge should have been taken in chief; but because it was not rebutting testimony is not sufficient to stamp it as error to receive it.

4291. In the trial of charges, where either party or his counsel does not understand the language in which proceedings are conducted, such party or counsel cannot be denied the time necessary for the interpretation to him of the proceedings as had, by interpretors qualified to be present.

4292. New evidence may be introduced by the prosecution at any time before the case is finally submitted for decision. Such new evidence need not be confined to that which is merely rebuttal. Justice requires that each party be allowed to introduce all competent evidence without regard to the time when such evidence is offered. The tribunal trying the charges, however, should exercise a sound discretion as to the introduction of new evidence by either party after once closing the case on that side.

4293. When a charge against a brother has been founded upon a misunderstanding, and by the examination of the parties this is made manifest,

by the consent and desire of both parties, the committee may permit the charges to be withdrawn, and so report to the Lodge.

(d). Pleadings.

4294. At the time specified for the trial, the accuser and accused being present and answering, the charges and specifications shall be read and the accused be required to make answer to each specification contained in the charges.

4295. Should the counsel object to a specification on the ground of indefiniteness, the accuser shall have leave to amend, provided such amendment be made immediately.

4296. When charges against a brother have been referred to the Committee on Trial, the committee cannot allow the accuser to amend the charges by introducing new specifications not contained in the original charges. Supplemental charges might be preferred in the Lodge, and referred to the committee.

4297. Where a brother charged pleaded guilty to a violation of the laws of the Order, and afterwards claimed that the charges were too vague to constitute an offense, it was held that if the charges were too vague, it was both his right and his duty to plead their vagueness at the time. He cannot now take advantage of the plea of vagueness, for he has admitted his guilt by his plea of guilty.

4298. Charges which are vague, indefinite and uncertain do not warrant placing the accused upon his defense, particularly where no specific offense is charged, nor names, dates or places given, so that he can prepare his defense.

4299. It is sufficiently certain as to time if the charges state the day of the month of the year and the place where the offense occurred.

4300. The accused may then plead to each specification either of the following answers:

1. That the alleged offense is not within the legal jurisdiction of the Lodge.
2. That the complaint contained in the specification is frivolous.
3. Admit the facts stated and justify the alleged offense.
4. Guilty.
5. Not guilty.

4301. If the trial committee find in favor of the accused on either plea, that the offense is not within the legal jurisdiction of the Lodge, or, that the complaint contained in all the specifications is frivolous, the committee should adjourn the hearing and report its findings to the Lodge, when, after the regular procedure, if it concur with the judgment of the committee by adopting its report, this will be such a final judgment as from which the prosecutor or any member of the Lodge in good standing may appeal, if he sees fit to do so.

4302. If the Lodge reverses the committee, it will then require the accused to plead again, and further procedure will be governed accordingly.

4303. If the accused admit the facts and justify the alleged offense, the committee will proceed to take the testimony offered in justification and rebuttal thereto.

4304. The plea of justification is generally equivalent to "not guilty." In fact, it is better practice to plead not guilty, and offer the evidence of justification or mitigating circumstances under that plea.

4305. Where a brother was charged with being a bartender, and his plea admitted having served liquor over W.'s bar; but denied being a saloon keeper or clerk in a bar, and stated that he stayed in the said saloon not for gain, but just to accommodate a friend who wanted to visit his family for a few days, and that he did not know that he was violating the rules of the

Order, and if he did, the sin was ignorance, and that such a thing would never occur again, and asked the leniency of the Lodge, it was decided that the brother's plea was a plea of not guilty, and therefore issue was joined under the charges, and under the Code of Trials the Lodge should have, instead of dismissing the charge on motion, proceeded to trial, in conformity with law.

4306. The plea of justification will not avail when the offense is one for which the punishment is definitely fixed by law. Under such circumstances, if the accused thinks he was justified in his actions, he should plead justification as a defense under a plea of not guilty

4307. Where the penalty is definitely fixed by law, it is a waste of time to show mitigating circumstances.

4308. When a brother enters a plea of "guilty" to charges preferred against him, and the law fixes a definite penalty therefor, and the committee reports this fact, it is the duty of the N. G. to forthwith pronounce judgment. Justification as a matter of defense must be made under a plea of "not guilty."

4309. If the accused plead guilty to all the specifications, the Trial Committee will adjourn the hearing, and report this fact to the Lodge in the regular way, as the plea of guilty is as definite as an arrival at such decision after a full hearing.

4310. If the accused plead guilty to some, and not guilty as to other specifications, the hearing proceeds in the regular way.

4311. A brother notified the Trial Committee that he would not be present, and he acknowledged having committed the offense as charged; under these circumstances, this was equivalent to a plea of guilty, and the Trial Committee should have reported to the Lodge accordingly. It was error for this committee to report that the brother had refused to appear before the committee and was therefore in contempt.

4312. If the accused plead not guilty as to all the specifications, the hearing will also be proceeded with in the regular way.

4313. If the accused pleads guilty, it is not necessary to proceed with a trial.

(e). The Proceedings Before Trial Committee.

4314. Three members of a Trial Committee constitute a quorum, and are competent to proceed with the hearing. All questions requiring a decision of the Trial Committee shall be determined by a majority of those present.

4315. It is the duty of either party to produce his own witnesses, but when the accuser or accused shall notify the chairman of the Trial Committee in writing that he requires the presence of a witness, the committee will issue such a notice to the witness as is contemplated by the General Law of the Order, commanding or requesting his or her attendance.

4316. The following evidence may be admitted before the Trial Committee:

1. Testimony of witnesses who shall appear before the committee.
2. Depositions agreed upon by the parties or taken in accordance with the laws of the Order.
3. Records of the Lodge.
4. Documentary evidence, etc.

4317. The committee shall determine the admissibility of the evidence, subject to exception by either party; the exception so taken shall be entered by the committee upon its minutes.

4318. After the direct and cross-examination of a witness has been concluded, the witness shall not be further examined or recalled, except to explain evidence given on his original examination, or by consent of the opposing party.

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4319. Extracts from the records of a Lodge shall be authenticated by the Secretary, under seal. No Lodge shall be allowed to challenge its records or extracts taken therefrom when duly authenticated.

4320. Members of the Order shall qualify, and depositions of absent witnesses shall be taken in the manner prescribed by the laws of the Order. The attendance of a person as a witness who is not a member of the Order must be procured by the party desiring him.

4321. The admissibility of evidence will be determined according to the laws of the Order.

4322. The testimony will be taken according to the laws of the Order.

4323. The Trial Committee shall keep correct minutes of their proceedings, independent of, and not in connection with, the testimony. Their record must show:

1. The date and place of each meeting, and the parties present.
2. The charge and specifications, and the answers or pleas of the accused thereto.
3. All points raised, and the decisions thereon.
4. The exceptions and objections taken or made by either party to said decisions.
5. Parol evidence by question and answer in full, subscribed by the witnesses.
6. Documentary evidence marked in the order of its reception.
7. Decisions of the committee upon each specification of the charges.

4324. The committee having heard all the testimony and listened to the arguments of both sides, will dismiss the parties, and carefully review the evidence, and, having agreed as to the guilt or innocence of the accused on each specification, will report its judgment to the Lodge.

4325. The committee are not clothed with any other authority in the controversy than to hear the case according to the due process of law and to report their findings, together with all the testimony, to the Lodge, who will try the case. It is unlawful for the committee to endeavor to bring about an amicable agreement or settlement, or to enter into any agreement with the accused the consideration whereof shall be the withdrawal of the charges and the dropping of the case.

4326. When charges were preferred against a brother for fraudulent and deceitful conduct, on specifications which were: That he had agreed with the Trial Committee on the retrial of his case that if said committee would discontinue its investigations and report to the Lodge that the charges against him were not sustained, he would thereafter apply for a withdrawal card and sever his membership from the Lodge, the questionable conduct of the accused sinks into insignificance, however, compared with the moral turpitude of a Trial Committee to which the Lodge had committed the honor of its membership. If the charges in the first case in which the brother was tried, and on which he was acquitted by vote of the Lodge, were unimportant or untrue, then the committee reported rightly that they were unsustained, and his contention that he did not enter into the alleged agreement is proven to be true. But if they were of such a character that he had reason to fear the result of the committee's report to the Lodge, or the committee had reason to think that it was giving him a valuable consideration for his agreement to take a withdrawal card, what can we think of the committee? For of the Lodge itself there is no criticism, since the evidence discloses that when it voted to acquit the brother it had no knowledge as a body of the alleged iniquitous agreement.

4327. The defendant must be given a full and fair opportunity to present his defense, or the judgment of the Lodge will be set aside on appeal, the defendant reinstated, and the case re-opened. For example, on the 13th day of November the committee to try a case was selected, and they made their report to the Lodge November 27, and it was laid over until the next meeting. At that meeting the brother asked for time to produce evidence in his

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defense, as his principal witness was absent from the city at the time the trial was had. This was refused by the Lodge, and the vote was taken upon the punishment, and the brother expelled. On appeal, he was reinstated, and a new hearing ordered to be had by the Trial Committee.

(f.) Report and Findings of Trial Committee.

4328. After the Committee have given both parties full opportunity to present their witnesses, and after the evidence shall have been fully examined, the committee shall present the journal of its proceedings and the evidence taken, to the Lodge, and shall report in writing to the Lodge the opinion of the Committee as to the guilt or innocence of the brother charged, upon the charge and each specification. It is not the duty of the committee to recommend any punishment.

4329. The report must be signed by at least three members of the committee.

4330. The purpose of a trial is to reach the truth by establishing the innocence or ascertaining the guilt of the accused.

4331. The final report of the Trial Committee, which cannot be made until after the completion of the hearing of the testimony, should distinctly find the accused either guilty or not guilty of the charges and of each of the specifications. Where the report of a certain case did not contain any such findings, its adoption by the vote of the Lodge did not either acquit or convict the brother. Its adoption by the Lodge had no effect whatever, and the declaration that the brother was expelled was erroneous and illegal.

4332. When the Committee on Trial failed to report, as is required by the General Law and the Constitution for Subordinate Lodges, the Lodge could not legally decide the case upon the report as made. A Lodge took action on the report of a Committee on Trial, April 26. It appears that within a few minutes before the Lodge began its consideration of the report, two members of the Committee on Trial prepared and offered a resolution to the effect that the accused be found guilty. This resolution cannot be considered a part of the report of the Trial Committee. Even if it had been offered by all the members of the Trial Committee who signed the report, the Lodge could not, under the law, consider the same at the same meeting at which it was offered.

4333. The following is the form of report for a Trial Committee;

..... 19...

To, Lodge, No....., I. O. O. F.

Sir and Brothers:

Your committee, heretofore appointed to investigate the charges and specifications preferred against Brother by Brother of Lodge, No., respectfully report that the accompanying documents contain the minutes of the proceedings and all the evidence taken before the committee, including all the papers pertaining to the trial.

That, from all that appeared before your committee in said case, as to the charge of conduct unbecoming an Odd Fellow.

Specification No. 1, we find him (guilty or not guilty) as charged.
Specification No. 2, we find him (guilty or not guilty) as charged.
Specification No. 3, we find him (guilty or not guilty) as charged.

.....
.....
.....
....., Committee.
.....

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(g). Proceedings Before Lodge.

4334. When the committee submits its report upon the charges and specifications, the case will lie over until the next stated meeting of the Lodge, and the brother under charges must be duly notified by the Lodge of the action of the committee and that at the next meeting his case will be considered.

4335. The report of the committee shall be received and entered in full in the records without discussion.

4336. The Secretary shall immediately, or as soon after the meeting as possible, give the accused the notice of the proceedings required by the Constitution for Subordinate Lodges.

4337. An officer under charges cannot officiate in his Lodge at the trial for charges, if the duties of his office require him to do or perform any duty in respect to action upon the report of the Trial Committee.

4338. After the presentation of the report of the Trial Committee to the Lodge, the brother charged shall be notified by the Secretary, under seal, for which he may use the following notice of the filing of the report of Trial Committee, which is to be made out in duplicate:

.....Lodge, No., I. O. O. F.
....., 19 .

To.....

Sir and Brother:

Take notice that the committee heretofore appointed to try the charges preferred against you by Brother, have this day filed their report, finding you (guilty or not guilty), and the report will be considered at the next stated meeting of the Lodge, to be held on the evening of, 19.... The papers and report of the Trial Committee are in my possession, and if you desire to do so, you may peruse them at, prior to said meeting.

Yours in F. L. and T.,
.....,
(Seal) Secretary.

4339. Having served the notice, the Secretary will make the following endorsement on the copy he has retained:

.....Lodge, No., I. O. O. F.
....., 19 .

I hereby certify that I have served the within notice on brother by delivering and leaving with him a copy thereof (or by mailing him a registered letter containing said notice to his last known place of residence), this day of.....A. D. 19..... at the place aforesaid.

.....,
Secretary.

4340. A trial for charges of a brother who has received the third degree takes place under the law in the third degree. No member can be present in the Lodge at the trial unless he has received the third degree. The accused has the right to be present during the whole of a trial, but a witness has not the same right. It makes no difference if the charges were preferred by the witness; of course, any witness who is summoned to testify can appear before the Trial Committee. A witness has no such interest in a trial as allows him to be present on such an occasion, except as the Lodge and the laws of the Order may permit.

4341. The trial of a brother who has not attained the third degree shall take place in the highest degree to which he has attained, and the Lodge shall be specially opened in such degree for that purpose, and all rules of order for the transacton of business in the third degree shall prevail at such trial, provided that voting upon all questions before said Lodge (if below the third degree) shall be either *viva voce*, division or ballot.

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4342. When the case is properly before the Lodge, a member under charges, whether previously suspended or not, has the right to appear in the Lodge and hear the report of the committee on his case and make his defence, but he must then retire before further proceedings can be had.

4343. At the time fixed to consider the report the Lodge may proceed to consider and determine the matter whether the accused brother be present or not, it appearing affirmatively that he received notice thereof from the Secretary as required by law.

4344. Either party may object to any of the rulings and decisions of the committee, when the Lodge shall take up the report for consideration, provided that they were objected to and noted on the minutes of the Trial Committee at the time the testimony was offered.

4345. The findings and rulings and report of the committee shall be read and considered and all the testimony, if any, bearing thereon.

4346. The testimony must be read, all of it, not portions.

4347. During the discussion following the reading of the evidence, portions may then be read, if called for.

4348. Whether after the report of a Trial Committee the report can be recommitted for further evidence; whether after the discharge of the committee, it may be referred to a new committee to take additional testimony, and whether during the consideration of the report further evidence may be received in addition to that reported, are matters which should be left to the sound discretion of the Lodge in the absence of legislation by the Grand Lodge.

4349. Charges having been preferred against a brother, the committee reported in favor of his expulsion. The Lodge, without considering this report, discharged the committee and referred the charges to a new committee, which reported in favor of expulsion for contempt, and the Lodge adopted a motion to expel the brother: Held, that the action of the Lodge and of the Grand Lodge affirming the same should be reversed.

4350. The purpose of a trial is to reach the truth by establishing the innocence or ascertaining the guilt of the accused. To this end, a committee appointed when the charges are preferred is but the agent of the Lodge. The agent may fail to elicit the whole truth, after patient examination; or after such examination has closed there may be testimony discovered which it might be rank injustice to refuse to hear. Therefore, to deal justly, further investigation might be imperative, and to prevent it would not be in harmony with the spirit of our Order.

4351. A brother was on trial for charges, charged with renting and allowing premises owned by him, in a certain city, to be used as a house of ill-fame. At the trial in the Lodge newspaper articles were against the protest of the accused, read, concerning the subject matter of the trial. This was improper.

4352. The Lodge claimed that these newspapers contained statements concerning an indictment, which had been found against the accused for the same offense, and other matters which tended to show that the accused had notice that his said premises were being used for the purpose aforesaid, and that they were read in answer to his complaint that he was not aware of the fact. Held, that the reading of such papers was calculated to prejudice the minds of the members of the Lodge against the accused and therefore was wrong.

4353. It is competent and proper for a Lodge to act upon the findings reported by a committee without a motion being made to bring such findings before the Lodge. The findings, by virtue of their being reported by a committee appointed for that purpose, are properly before the Lodge for action without a motion being made for their adoption ; especially is this the case in relation to

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the report of a Committee on Charges. The time at which an accused member may speak in his own defense is when the findings in his case are thus before the Lodge for adoption or rejection.

4354. A Lodge, when considering the final report of a Trial Committee, and things relating thereto, after hearing the argument of the parties or their counsel, may, if a majority of the members present so decide, cause all persons but their own members to retire from the Lodge room during such consideration.

4355. The Lodge, in cases affecting the character of a member of the Lodge where the members are both judge and jury of a court of last resort, should, like a jury in a civil court, be permitted to examine the evidence, determine the guilt or innocence of the party, and fix the penalty with the freedom secured by the strict privacy of the Lodge room, without being overawed, embarrassed or prejudiced in their judgments, or constrained in the expression of their opinions by the presence of visitors who may be led by curiosity, or a worse motive, to come to the Lodge meeting; and when a majority of the members present in such cases desire to consider these questions by themselves, the privilege should be granted them.

4356. Brother M, Noble Grand of a Lodge, preferred charges against Brother S, also a member of said Lodge, for conduct unbecoming an Odd Fellow, with specifications. Brother S, after the Trial Committee was appointed, pleaded guilty in open Lodge to the charges, and offered to apologize for the same, which Brother M would not accept on any terms. A week later, the Chairman of the Trial Committee made a verbal report to the Lodge that they found Brother S guilty as he pleaded, and recommended him to the mercy of the Lodge, whereupon a motion was made to receive report of the committee and to exonerate Brother S, and the motion was adopted by a vote of 10 in favor, and none against. This vote was not by ballot. From this action of the Lodge Brother M appealed, claiming that the Lodge erred in accepting a verbal report from the committee, and also that the vote exonerating Brother S not being by ballot was illegal. It was held that if the Lodge, upon due investigation and trial, had decided that the charges made against the brother had not been sustained, its decision would have been final. The committee, on the voluntary confession of the accused, reported him "guilty." In passing upon that report, the Lodge tacity agreed to its correctness by moving to "exonerate" the brother found guilty. They cannot dismiss charges so summarily, but must vote guilty or not guilty. And that vote must be taken by ballot. If they decide "not guilty," the case ends. If they decide "guilty," they must then proceed by ballot to determine the degree of punishment. Brother M has a right to appeal from the illegal procedure. In accordance with above decision the case was referred back to the Lodge to correct its errors.

4357. The Lodge is not bound to accept the judgment of the Trial Committee: for example, if the Trial Committee should find the brother "Not Guilty," nevertheless, the Lodge, after hearing the reading of all the testimony, may find the brother 'Guilty," or the reverse may be the case.

4358. A subordinate Lodge can reverse the findings of its Trial Committee.

4359. All members present are required to vote upon the report of a Trial Committee, and upon the degree of punishment to be imposed, except those whose interests are involved in the result.

4360. After full opportunity has been given to discuss the matter, the question will be put as follows: "Shall the report of the committee be adopted as the judgment of the Lodge?" Upon which question the vote shall be taken by ball ballot, a majority being sufficient to adopt. If the report of the committee is "not guilty," the adoption of the report acquits the brother, while if the report of the committee is "guilty," if it is not adopted the brother is thereby acquitted of the charges. Should it be adopted, the Lodge will then prescribe the punishment to be imposed as the law may direct, the vote upon which, in all cases, must be by ball ballot; and to expel a member will require a two-thirds vote; any other degree of punishment may be imposed by a majority vote.

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4361. The ballot on the report of the Trial Committee is the final judgment of the Lodge and cannot be reconsidered. Where a Lodge accepted the majority report of the Trial Committee, but upon the statement of a member that he had not voted as he intended to, the Noble Grand, no objection being made, declared that the ballot should be taken over; this was done and resulted in the majority report being rejected. The minority report was then accepted and in due course he was expelled. Held to be error.

4362. Charges having been preferred against a brother the Trial Committee find him guilty as charged. The Lodge sustained the findings of the committee. A vote was taken by the Lodge, upon the degree of punishment, and after the ballot was declared closed, the Noble Grand declared the vote null and void, for the reason that all the members present did not vote, and ordered a new ballot to be taken. The Noble Grand acted illegally in declaring the first ballot null and void and in ordering a second ballot.

4363. The time and mode of voting upon penalties, after conviction of misconduct, is a matter of local legislation, which has always been regulated by the several Grand Bodies.

4364. The Constitution for Subordinate Lodges provides that, if a member of this Lodge is guilty of conduct unbecoming an Odd Fellow, he shall be amenable to the Lodge therefor, and shall be tried and punished by reprimand, fine, suspension, or expulsion, as thereinafter provided. If, after trial, the brother is found guilty, the Lodge shall then prescribe the punishment to be imposed. The vote thereon shall be by ballot in all cases; but for an expulsion, the assent of two-thirds of the members voting shall be required.

4365. When the law fixes the penalty on conviction for a specific offence, it is not required that the Lodge vote to fix the punishment.

4366. When a member has been adjudged guilty and the penalty is "expulsion" under the laws of the S. G. L., the Lodge must expel him. The manner in which the expulsion is to be declared is left to the Lodge. It may be in open session, at a regular meeting, by the Noble Grand for the Lodge, or it may be by a vote. It must be by the Lodge. If the Lodge fails to discharge its duty, it should be put on trial and punished for the offence.

4367. When the vote for expulsion in a Subordinate Lodge was taken, after midnight, and after a protracted session occupied in reading the testimony in the case, and at the time the vote was taken a large number of the members who had been present during the early part of the evening, had retired, including counsel for accused. It was held that these proceedings, while not regular, may have taken the accused at a disadvantage, and the Lodge was directed to again consider the evidence and take a vote upon the question of expulsion, the new vote to be taken at such a time as to avoid the objection herein mentioned.

4368. When the report of the Trial Committee has been adopted it is error for the Noble Grand to say to the Lodge, "a ballot will now be taken for expulsion ;" there must be a motion regularly made, the same as on any other parliamentary proceeding before the Lodge and the course of procedure as laid down in the Constitution for Subordinate Lodges strictly followed.

4369. By the local law when a motion prescribing the punishment is before the Lodge, the same shall be considered as any other motion, and be subject to the same rules. Provided, That a motion to reconsider can only be made on the same evening.

4370. A law providing for the reconsideration of a motion does not apply to a case of expulsion by secret ballot, it only applies to ordinary parliamentary questions, arising in deliberative bodies. A member once expelled is out of the Order, and no motion can be entertained to reconsider the vote.

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4371. Motions and amendments relative to the degree of punishment shall be treated as a blank, and the blank shall be filled by voting upon the most severe punishment first. If that be lost, the less severe punishment shall be voted upon, until the judgment of the Lodge is declared.

4372. Where the By-Laws of a Lodge provided that the penalty for a specific offence should be suspension or expulsion, and the Constitution provided that the Lodge should fix the penalty by vote, unless it be a single penalty, and that it should require a two-thirds vote for expulsion. Held, that the Lodge must vote, and if two-thirds be not cast against the brother the penalty to be inflicted must be suspension, no vote for that purpose being required.

4373. In fixing the penalty the Lodge must follow the method prescribed by the Constitution. The Lodge having voted upon expulsion, and that being lost, it is not competent for the Lodge to entertain the question a second time.

4374. Reason and proper discipline require that punishment shall be inflicted when the accused is convicted, unless at the time the vote was taken some valid reason existed for the failure to do so, in which case it is incumbent on the Lodge to set the same forth certified with the record that the same may be inquired into and considered by the Appeal Committee.

4375. A Lodge cannot suspend a brother for an unreasonable length of time.

4376. By the general law, suspension must be temporary and be regulated by the magnitude of the offense and should be for a reasonable time only.

4377. Under the broad powers vested by the general and local laws in subordinate lodges to prescribe the punishment to be imposed upon a brother found guilty of conduct unbecoming an Odd Fellow, where the penalty is not prescribed by law, a Lodge has authority to impose a double penalty, that is to say, a suspension and a fine or reprimand, or a fine and reprimand.

4378. If a mistake is made in voting in a ballot on a trial, and the brother announces that he did not vote as he intended, if the ballot box has not yet been examined, the presiding officer may have the ballot taken over again to allow correction of the mistake. The ballot should be held over again if it is found, before the ballot is examined, that a disqualified brother voted.

(h). Jurisdiction of a Court of Equity to Review the Proceedings.

4379. In 1887 the Supreme Court of Pennsylvania rendered an opinion in the Rosenberger case, one of the most celebrated appeal cases in this Jurisdiction Rosenberger having exhausted every remedy in the Order, appealed to the civil courts and filed a bill in equity, and asked the civil courts to reinstate him, the Lodge having suspended him for two years. The Court, Gordon, Justice, inter alia, said: It will be observed that what is here alleged is, that the committee made a mistake in ruling out relevant testimony as irrelevant. Admitting that this evidence might have been relevant for some purpose, and ought, therefore, to have been admitted, nevertheless it does not appear that it was anything more than a mistake in the judgment of the committee, nor does it appear that any complaint was made of this ruling on the subsequent trial in the Lodge, of which trial we have the following report by the Master: "April 15, 1882, Rosenberger was present in the Lodge meeting, and the report of the committee was considered. The findings of the committee were then made the final judgment of the Lodge. A motion to expel was lost, but a motion to suspend Rosenberger for two years was carried by the necessary two-thirds." Here, if we are to believe the Master, was an appearance, a regular adjudication, and no complaint made of the action of the committee; a clear waiver of the defect complained of. It is said, however, that the evidence taken by the committee was not read. This assertion does not accord with the finding, but no matter, he

could have required its reading had he so desired, and if he chose to waive it, that was his own business. But with these matters we have nothing to do, for, as was said by Mr. Chief Justice Gibson in the case of Black and White Smith's Society v. Vandyke (2 Wh. 308), "into the regularity of these proceedings, it is not permitted us to look. The sentence of the society, acting in a judicial capacity and with undoubted jurisdiction of the subject matter, is not to be questioned collaterally. If the plaintiff has been expelled irregularly, he has a remedy by mandamus, to restore him; but neither by mandamus, nor by action, can the merits of his expulsion be re-examined. He stands convicted by the sentence of a tribunal of his own choice, which, like an award of arbitrators, concludes him." So, in the case of the Commonwealth vs. The German Society (15 Pa. 251); held, per Rogers, Justice; citing from 8 W. & S. 251; "The Courts entertain a jurisdiction to preserve these tribunals in the line of order, and to correct abuses; but they do not inquire into the merits of what has passed *in rem judicatam* in a regular course of proceedings." It thus seems to be settled, that neither the mistake made by the Trial Committee, nor by the Lodge, can be noticed or reviewed by the Courts. "He stands convicted by the sentence of a tribunal of his own choice, which, like an award of arbitrators, concludes him." The mistake made in the Court below was in treating the case as an appeal, whereas it was a collateral action; like a suit brought on a claim which had been finally disposed of by an arbitration at common law. The decree of the Court below is now reversed and set aside, and the bill dismissed at the costs of the appellee.

4380. A Court of Equity has jurisdiction of causes of action within the control of the tribunals ordained by the Constitution and By-Laws of an unincorporated society (Lodge) only where some material irregularity in the proceedings is shown to have occurred, which has not been waived by the suitor.

(i). Costs.

4381. There is no law or regulation of the Order concerning the costs of the trial procedure. The Lodge has, however, a legal right to pay a reasonable fee for a brothers services where he appears as counsel in an appeal from its action.

TRUSTEES.

See Funds.
Officers.
Honor of Office.
See Eligibility to Office.
Real Estate.
Halls.

4382. A trustee is not an office provided by general law but permitted by local law.

4383. At the session of the Grand Lodge, May 23, 1901, the following among other proceedings was had: "The Judiciary Committee to which was referred the proposed law in respect to the investment of Lodge funds by Trustees respectfully report: That they have carefully considered the subject with the idea of meeting as far as possible the difficulties that have arisen. We have first endeavored to so frame the laws as not to interfere with the freedom of the Lodges in prescribing for themselves the number of Trustees they shall have and the manner of their selection. The principal difficulty met in the present system is in securing the satisfaction or cancellation on record of judgments, mortgages and other recorded liens where the Trustees in whose name the obligation stands no longer fill the office but have been succeeded by others. The same difficulties will naturally arise in the conveyance of Lodge real estate or the transfer of certain classes of securities. Public officials, such as Recorders, Prothonotaries and Clerks of Courts, are entitled to demand legal and protective evidence that the persons endeavoring to satisfy a record are in fact legally authorized to perform the act. They are not bound to accept the inaccessible and sometimes fleeting record of Lodge minutes—nor Lodge Certificates that would not be received in Court as legal proof of the facts certified. Purchasers of real estate or of securities, who might be affected by an improper satisfaction

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or transfer, are also morally entitled to this protection. Your committee has endeavored to meet these problems."

4384. Article IX. Trustees and Investments.

Section 1. There shall be a Board of Trustees, consisting of..... members, one of whom shall be elected at each annual election. It shall be the duty of the Trustees or one or more of them, under the directions of the Lodge, to invest all moneys placed in their hands for that purpose and deposit their vouchers with the Treasurer. All investments shall, where practicable, be taken in the following form expressed in the note, bond, mortgage or other obligation, to wit: To Trustees of, Lodge, No....., I. O. O. F., of Pennsylvania, their successors in office from time to time and their assigns. The title to office and the right to act, of the successors to the Trustees herein named, or any of them, and their successors shall be conclusively established and determined from time to time by a statement or certificate in writing under the seal of the Lodge aforesaid and over the signature of the *de facto* Noble Grand and Secretary, acknowledged before an officer authorized to take acknowledgments of deeds and recorded in the office for the recording of deeds, etc., for the proper county or filed in the proper office for the satisfaction of judgments or other obligations.

Sec. 2. They shall have charge of all real estate, securities and investments of the Lodge, collect the income, interests and dividends thereof and pay the same over to the Secretary at the next stated meeting after the same shall have been collected, who shall immediately pay the same to the Treasurer, taking his receipt therefor.

Sec. 3. They shall make a full report to the Lodge upon the evening of the semi-annual election or whenever required by the Lodge of all their transactions, with a list of all securities held for the Lodge and a statement of the condition of the investment.

Sec. 4. Individual or joint security be required in the sum of The sureties may be either individuals or corporations, authorized by law to become sureties in such cases.

4385. If Lodges fail to adopt the preceding section and to use the form of trust above prescribed for investments made by the trustees, it will be necessary to have a conveyance or assignment from each outgoing trustee to his successor, where the trustee is not reelected. This is usually neglected and there is much trouble when the Lodge comes to satisfy the mortgage or sell a bond, whereas by the above form of trust no one will deal with the mortgage or bond without a certificate from the Lodge, and this certificate will authorize the present trustees and no others to sell, transfer or otherwise dispose of the securities.

4386. The Trustees can only invest said funds or change said investments when authorized so to do by the Lodge; and all evidences of investments as aforesaid must be deposited with the Treasurer of the Lodge.

4387. It being required that all the business of a Lodge shall be transacted while the Lodge is working in the third degree, not only all the officers of the Lodge, but those who hold positions in the Lodge directly connected with its business interests, must be in possession of the third degree. Therefore, a member who is not in possession of the third degree is not eligible to the position of Trustee.

4388. Trustees of a Lodge are not officers in a sense that would subject them to removal for mere absence from Lodge meetings, they otherwise performing their duties.

4389. A Trustee of a Lodge without other service for a term in a regular appointed office, cannot be elected to and serve as V. G., as the position of Trustee is not a qualifying office.

4390. In the absence of prohibition in the local law or in the By-Laws of the Lodge, any third degree member, whether an officer of the Lodge or not, is eligible to be elected Trustee.

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4391. The fixing of the requirements for office of Trustee is entirely in the control of the Grand Lodge. It is not "the defining of qualifications for office," as that relates only to officers created by and whose duties and qualifications are fixed by the Sovereign Grand Lodge.

4392. The Grand Lodge has a legal right to pass a resolution that no elective officer of a Subordinate Lodge shall serve as Trustee of funds.

4393. Such a resolution would not conflict with any general law of the Order, it not defining a qualification for office and not providing that a Trustee of funds may not be elected to office. Properly construed, such a resolution would have the effect of vacating the service or position of Trustee on election to office, and also prohibit an officer while serving being elected as Trustee.

4394. Under the law, as it now stands, the matter of defining the duties of Trustee is entirely with the Subordinate Lodge, subject, of course, to compliance with the provisions of the local law on the subject enacted by the Grand Lodge, as above set forth.

4395. When a Lodge created a widows' and orphans' fund, for which it created a special board of three Trustees, calling them in its By-Laws, "Trustees of the Widows' and Orphans' Fund," and also had the usual Board of Trustees for investment of general funds, it subsequently revised its By-Laws by which, instead of providing for separate boards, it provides for but one board of three Trustees, who were to have charge of all the investments. The Treasurer to hold all funds. It was ruled by the Grand Lodge that there was nothing connected with the office of Trustee of the Widows' and Orphans' Fund to prevent the Lodge who created the office, from abolishing it at pleasure, and thus bring the term of office of these Trustees to an abrupt and an immediate ending, and that these Trustees should at once hand over to the new Trustees "all funds and securities belonging to said fund, with the distinct understanding and provision to be embodied in the receipt and release given for said fund, that it is to be held separate and apart from the General Fund of the said Lodge, and to be applied to the relief of the widows and orphans of deceased members of said Lodge, in good standing, in accordance with the purpose for which the fund was originally created."

4396. A Trustee of a Lodge, having been selected as "Trustee of invested funds," later resigned the trust. By resolution of the Lodge he was directed to transfer all securities in his possession as Trustee to his successor, but refused and appealed to the Grand Master from the action of the Lodge. The action of the Lodge was sustained.

4397. A Lodge submitted an amendment to its By-Laws, to the Committee on By Laws, for approval, placing all the evidences of investment in the custody of its Trustees, they, at the same time, giving no security for the proper discharge of their duties. Held that, unless the Lodge has a clause in its By-Laws requiring its Trustees to give sufficient bonds for the faithful execution of their trust, the proposed amendment, which would place it in their power to hold or dispose of the vouchers of the Lodge at will, would be illegal. There can be no question that the animus and aim of all legislation on the subject of Lodge finance is, that the "trust funds" may be insured, beyond a peradventure, against fraud or misappropriation. The Treasurer, holding evidences of investment made by the Trustees, could not, of his own volition, convert them into any illegitimate purpose. The Trustees, on the contrary, as the makers of these investments, could dishonestly negotiate them, if they were so disposed. Odd Fellow finance is "business," and "business" leaves nothing to any agent's honor.

4398. The Lodge has the power and authority to direct its Trustees as to the investments of Lodge funds and the Trustees are amenable to the Lodge for refusing to obey its orders in this respect. The funds belong to the Lodge, not to the Trustees; the latter are custodians of the investments, and when the Lodge orders the investments to be handled in a certain way (not in conflict with the general laws of the Order) the Trustees

TRUSTEES.

must obey its directions, the resolution of the Lodge being their authority and protection for such action.

4399. A Lodge appointed a special committee to make repairs on the Lodge room. There is no objection in any way whatever as to the work being done, but the question was raised as to whether this was not the exclusive duty of the Trustees. Held, that the Lodge has the right to appoint such special committee, although the By-Laws provide that the Trustees shall "carry out all other acts not otherwise provided for." The Lodge is not in duty bound to place this matter in the hands of the Trustees. It has the right to select a special committee for the purpose.

VACANCY IN OFFICE.

(a). Subordinate Lodge Office. (b). Grand Lodge Office.

(a). Subordinate Lodge Office.

4400. In the absence of By-Laws otherwise a vacancy in subordinate office, elective and appointive can only occur from death, resignation or the suspension from cause of the brother filling the position, or by his voluntary or involuntary severance of membership in the Lodge.

4401. A Withdrawal Card having been granted to an officer upon proper application, if the card be afterwards revoked, it does not restore the brother to his former official position in the Lodge.

4402. The suspension for cause of an officer of a Subordinate Lodge, no matter how short the period may be, vacates the office and the Lodge may fill such vacancy.

4403. When no local law or By Law provides therefor an installed officer does not vacate his office for non-attendance, and the Lodge has no authority to create and fill a vacancy.

4404. The position of Trustee may be vacated by an amendment to the By Law creating the position, as he is not a recognized officer of the Lodge.

4405. A Lodge cannot displace an officer during the term for which he was elected for non-attendance in the absence of any Constitutional provision on the subject.

4406. It is legal for a Lodge to have a By-Law which says that if any officer absents himself for more than three stated meetings his office may be declared vacant by a vote of the Lodge, after he has been duly notified and failed to give a satisfactory excuse for his absence.

4407. When a Lodge has a By Law declaring a chair may be vacated if the incumbent absents himself for at least four consecutive meetings, before action can be taken under the law the officer shall be notified, that he may show cause why his seat shall not be vacated.

4408. Absence of an officer from the regular stated meetings of the Lodge, for at least four consecutive nights, may work vacation of office, if the By Laws so provide.

4409. An office can become vacant by the officer filling the same becoming in arrears, provided he does not pay up his dues before any action is had or taken in his case.

4410. Where an officer elect is absent at installation, so that the installation for his office is thereby deferred and he subsequently continues to absent himself, if the By Laws of a Lodge provides for vacating an office for non-attendance, the Lodge may treat the officer as installed and vacate his office.

4411. All vacancies are filled in the manner of the former selection to serve the remainder of the term, and the officers so serving shall, if they render the service, be entitled to the full honors of the office.

VACANCY IN OFFICE—Subordinate Lodge Office.

4412. It is lawful for the acting Noble Grand to fill the vacancy and an appointive office occurring while he is in the chair.

4413. Any member who has been duly elected or appointed to fill a vacancy in any office in a Subordinate Lodge and who shall serve therein to the end of the term, shall be deemed to have served a full term in such office.

4414. Where a N. G. obtains leave of absence from his Lodge for three months and overstays his time, being absent for the majority of nights of a term, and his office is declared vacant by a vote of the Lodge, and a P. G. elected to his vacancy, the Lodge cannot, by the resignation of the latter and the re-election of the former for the remainder of that term, make him a P. G., entitled to the honors of a Past N. G., as this would permit him to take advantage of his own wrong and accomplish indirectly that which the law prohibits him from doing directly.

4415. In case an officer resigns, after serving a part of the term to which there is a salary attached, he does not forfeit his rights to his portion of the salary.

(b). Grand Lodge Office.

4416. In the Grand Lodge an appointed officer may be removed for sufficient cause by the Grand Lodge or during the recess by the Board of Grand Lodge Officers.

4417. An officer cannot be displaced during the term for which he is elected for non-attendance in the absence of any Constitutional provision or By Law.

4418. If a Grand Master, after installation, removes permanently from his Jurisdiction and abandons his work, his office may be delcared vacant, and the Deputy Grand Master becomes Grand Master in accordance with a Constitution which provides that "The Deputy Grand Master shall become Grand Master in case of the death, resignation or removal of the Grand Master during the term." But service for the balance of this term will not make the Deputy Grand Master a Past Grand Master (see Deputy Grand Master).

4419. Suspension for cause in his Subordinate Lodge operates to remove a Grand Officer from his office in the Grand Lodge.

4420. An elective officer of a Grand Lodge was suspended for three months in his Subordinate Lodge, after trial and conviction on charges of "Conduct unbecoming an Odd Fellow." Held, that his office was vacated and should be filled in the mode provided in the Constitution of said Grand Lodge, and that he would not be restored to his office at the end of his suspension, unless the Constitution so declared.

4421. An officer of this Grand Lodge, or a Representative to the Sovereign Grand Lodge, taking a Withdrawal Card, does not vacate his office thereby, if the same be immediately deposited in this Grand Lodge, accompanying the application for a new charter; or if, on occasion of change of residence of this Jurisdiction, the card be within one month deposited in a Subordinate, or without change of residence; provided, that while holding such Withdrawal Card, and until such new Lodge be instituted, such person can discharge no official act.

4422. In case of the extinction of a Subordinate Lodge, in which an officer or a member of the Sovereign Grand Lodge holds membership, the seat of such officer or representative shall not be vacated thereby; provided, that within one month after such extinction, he shall connect himself with some other Subordinate Lodge.

4423. When a Grand Master suspends a Subordinate Body, of which he is a member, or withdraws its charter, such suspension or withdrawal of charter shall not affect his rank or standing in the Order during the

remainder of his term of office and for a period of thirty days after the close of said term.

4424. In every case the successor who fulfills the duties of the unexpired term, and is regularly installed into the office, becomes entitled to the honors of the office.

VETERAN MEMBERSHIP.

See Non-Contributing Members. Non-Affiliated Odd Fellows. *See* Non-Beneficial Members. Honorary Membership.

4425. Veteran members of the Order must not be confused with non-contributing, or non-affiliated, or non-beneficial members, no matter how aged these may severally be.

4426. A veteran member of the Order is one who is a contributing member in good standing and who for twenty-five years or more of continuous membership has been such.

4427. An honorable veteran member of the Order is one who is a contributing member in good standing and who has had continuous membership in the Order for fifty consecutive years or more.

4428. If a member entitled to wear a veteran jewel comes into possession of one in any way other than that prescribed by the law, his record cannot be lawfully entered in the Veterans' Register, nor can a number be given his jewel. He cannot take a half number, but must buy a new jewel and take the number given by the Grand Secretary of the Sovereign Grand Lodge.

4429. The right to own and wear the veteran jewel depends upon consecutive membership.

4430. Any temporary suspension of membership during that period, no matter how short, forfeits his rights.

4431. The taking of a Withdrawal Card, which the brother deposited within one year, does not break the continuity of membership.

4432. Suspension for cause terminates "good standing," and not being restored until after the expiration of one year breaks the continuity of years, so that the member, though restored, is not entitled to the veteran jewel, if the years necessary to gain the honor embrace the year of suspension.

4433. No one may lawfully wear either of these jewels except he be entitled thereto under the law.

4434. The jewel must be purchased through the Grand Secretary, and the brother may procure and wear both the large and watch charm size.

4435. To entitle a brother to wear a veteran jewel, he must have been in continuous membership for 25 years. That during the period he may have been at some time or other over 13 weeks in arrears for dues does not deprive him of the privilege. The good standing required by the law relating to veteran jewels is an active membership that has been unbroken by suspension, expulsion, abeyance, resignation or lapse by withdrawal.

4436. Continuous membership for twenty-five years entitling to veteran's jewel is not affected by the fact that the brother may have been in bad standing and not entitled to benefits during such period. If the brother's name has been on the rolls and he has not been suspended for any cause or become an Ancient Odd Fellow he is entitled to wear the jewel.

4437. A member applying for a jewel and registry in the Veterans' or the Honorable Veterans' Register, must furnish to the Grand Secretary of the Jurisdiction in which he holds membership a certificate from the Secretary of his Lodge, stating time of initiation, or admission by card, and that his membership has been continuous for twenty-five years or more. A

VETERAN MEMBERSHIP.

member joining a Lodge by card (not expired) will be recognized from the time of his initiation, provided his membership has not been interrupted, on his furnishing a proper certificate from the Lodge in which he now holds membership. A member who became non-affiliated by suspension or otherwise is to be held as in continuous membership from the date of his reinstatement. In case the Lodge in which a member was initiated is defunct, the certificate of the Grand Secretary of the Jurisdiction in which the Lodge was located, as to his initiation and membership, must be accepted; and if, by reason of the destruction of the records, or other cause, a certificate from the Grand Secretary cannot be obtained, the brother must furnish an affidavit as to his initiation and membership. Each jewel will be numbered consecutively for each State, and the Grand Secretary will keep a record of all issued, with the name, Lodge, date of admission, etc. A member can have his name engraved on the reverse side of the jewel. Any member of the Order, without regard to the rank he has attained, is entitled to procure a jewel if his membership conforms to the requirements of the resolution, viz.: "Members of the Order in good standing, and who for twenty-five years or more have been such, shall be entitled to wear a jewel to be designated "The Veteran Jewel I. O. O. F." [As to the engraving of the name of the brother on the back of the Jewel the following rules must be observed: There will be no engraving placed on the back of the plated Veteran Jewel by the Grand Secretary, but as to the other grades, 8, 10 and 14 carat gold and the Honorable Veteran Jewel, the brother's name will be engraved free as part of the cost of the jewel, provided ample time be given, and his name be clearly typewritten, so that there can be no possibility of error.] The necessary blanks for the required certificate can be obtained from the Grand Secretary upon application to him by the Secretary of the brother's Lodge.

VICE GRAND.

See Noble Grand.
Right Supporter to Noble Grand.
Absence.
Meetings.
Past Grand's Charge.
Committees.
See Annual Traveling Pass Word.
Semi-Annual Pass Word.
Installation.
Eligibility to Office.
Dispensation.
Degrees.

4438. To be eligible to the office of Vice Grand a member must have served a term in some elective or in an appointive office in a subordinate Lodge other than that of Trustee.

4439. A Vice Grand must be a third degree member. Under no circumstances can a brother who has not attained the third degree be elected Vice Grand.

4440. A member cannot be legally elected to the Vice Grand's Chair without dispensation, he not having served in any office for six months, and having been absent during that time. To be elected to the office of Vice Grand, one must have served a majority of nights and until the end of the term in a Subordinate office, having been appointed and duly installed into the same.

4441. It is unlawful to elect, without a dispensation for a term of service, and install as Vice Grand a member who has not served in an appointive office.

4442. A law requiring service for one term as Recording Secretary as a qualification for Vice Grand is illegal.

4443. The obligation to a candidate must be administered by a V. G. or a P. V. G.

4444. The Vice Grand, in the absence of the Noble Grand, must perform the duties of Noble Grand, including conferring the Initiatory and other degrees, but under no circumstances can he deliver the P. G.'s charge at initiation.

VICE GRAND.

4445. It is the duty of the Vice Grand, while occupying the chair of the Noble Grand, to wear the regalia of the Noble Grand.

4446. During the absence of the Vice Grand, if there be no Past Grands present, the Vice Grand's chair may be filled by his Right Supporter, but the charge to a candidate and the obligation can be delivered only by a Past Grand or a Past Vice Grand.

4447. A Vice Grand is eligible for election and installation as Noble Grand, although charges are pending against him and undetermined.

4448. The position of Trustee is not a qualification for the office of Vice Grand.

4449. It is not competent nor lawful for a Noble Grand to appoint a third degree member who has never filled an office to fill the office of Vice Grand when there is a Past Grand of his Lodge present in the room.

4450. A Vice Grand, not having served a majority of nights in a term, is ineligible to election as Noble Grand in case of his resignation, except in case of serving for the remainder of the term or having obtained a dispensation for "term of service" as Vice Grand.

4451. A Vice Grand holding his office is not eligible to election to fill a vacancy as Noble Grand, unless all qualified members of the Lodge decline and a dispensation is granted by the Grand Master. In case of such illegal election he loses the honors both of Vice Grand and Noble Grand.

4452. Where the By Laws of a Lodge so provide, it is proper for the Vice Grand to appoint a minority of all committees. This is, however, not applicable to the Auditing Committee provided for in the Constitution for Subordinate Lodges.

4453. The Vice Grand appoints his own supporters.

4454. In the absence of any local law on the subject, should a Noble Grand elect fail to present himself for installation, and no brother is elected to fill the vacancy, the Vice Grand, as the presiding officer of the Lodge, may appoint the Subordinate officers.

4455. During the absence of a Noble Grand, the Vice Grand should perform all the duties devolving upon the Noble Grand, which are required to be performed at that time. The immediate filling of a vacancy in an appointive office during a temporary absence of the Noble Grand might not be necessary, and would not, therefore, devolve upon the Vice Grand, unless the Lodge so instructed him.

4456. The Vice Grand, while seated in the Vice Grand's chair, cannot direct any orders drawn on the Treasurer without a motion. The Noble Grand, or the one occupying the chair of the Noble Grand, may direct an order to be drawn for benefits, as this is provided for by law.

4457. When the Vice Grand appoints a minority of a committee and a vacancy occurs, whether among his appointees or those of the Noble Grand, the latter fills the vacancy; the Vice Grand exhausted his prerogative when he made the original minority appointment.

4458. Ordinarily, the Vice Grand of a Lodge has no right to call a Past Grand to preside over his Lodge during the absence of the Noble Grand, but cases and circumstances are numerous upon occasions of initiations and Grand Visitations when there may be great propriety in the acting Noble Grand calling to his assistance the best experienced Past Grand of the Lodge

VISITING BY LODGES.

4459. A Lodge may visit a sister Lodge in a body without cards or the A. T. P. W. when accompanied by one of its first two officers, who may introduce the Lodge in the manner provided for the introduction of visitors by elective Grand Lodge Officers, but it is necessary that one of the first two officers in charge must be in possession of the A. T. P. W. and have his card.

4460. A Canton of the Partiarchs Militant, under command of its officers and in full uniform, can lawfully visit a Subordinate Lodge when in session.

4461. A Lodge, with its officers, can, in a body, visit another Lodge outside of its Jurisdiction without cards, or the Annual Traveling Password, but it is necessary that the one of the first two officers in charge of such visiting body must be in possession of the Annual Traveling Password and have his card.

4462. Past Officers of every description and members in possession of the Encampment Degrees, and all other members of the Order, when visiting Grand or Subordinate Lodges, and when attending the meetings of the Lodges of which they are members, are entitled to wear the regalia and jewel pertaining to the highest degree which they may have taken.

4463. The officers and members of Subordinate Lodges, when visiting other Lodges in a body and introduced by their own officers, in the manner provided for the introduction of visitors by elective Grand Lodge Officers, are not entitled to be received with the Grand Honors.

VISITATION BY MEMBERS.

(a). Right of.
(b). By Card or Official Certificate.
(c). Examination and Introduction.
(d). By Introduction of Elective Grand Lodge Officers.

(a). Right of.

4464. No brother, a member of a Lodge in this jurisdiction can be admitted to visit out of the State unless he present a card or official certificate showing dues paid in advance, as furnished under the signature of the proper officers and seal of the Lodge, unless he shall be introduced by a Grand Representative or any elective Grand Lodge Officer of the Grand Lodge within whose Jurisdiction he wishes to visit or a District Deputy Grand Sire in Jurisdictions where no Grand Body exists, Grand Representatives of either branch being authorized to introduce visiting brothers into both Subordinate Lodges and Encampments in the several Jurisdictions.

4465. A Visiting Card, Official Certificate or Withdrawal Card, correct on its face and in date (in the absence of fraud) cannot be rejected by a Lodge. In such case it must be received and given full faith and credit. No Lodge has a right to refuse admittance to a brother who has a regular visiting card and is correct, etc., for the simple reason that his presence is obnoxious to the Lodge unless he has been disorderly on a previous visit.

4466. A Lodge has no right to refuse admission to one who has a regular card on the ground that he was improperly or illegally initiated, or because he is an improper person.

4467. A brother who is in possession of a proper card and who proves himself according to established regulations is entitled to admission into the Lodges of any State. It would be hazardous to introduce any regulations which might restrict the rights of a worthy member, even if a Lodge should occasionally be inconvenienced by the reception of an unwelcome visitor. It is better to leave the right to visit free and untrammeled.

4468. A brother was expelled from the Order. Afterwards, on removing to another Jurisdiction, he was regularly admitted into a Lodge in the locality of his new residence. Some time after this he took a visiting card, upon

VISITATION BY MEMBERS—Right of.

which he attempted to visit his old Lodge, who refused to admit him on the ground that he was not a fit person to associate with. On appeal, the Sovereign Grand Lodge directed that the Grand Lodge of the State compel the Lodge to comply with the law in regard to the admission of visiting brethren, or deal with it for insubordination.

4469. One having proper credentials and proving himself in the work should be received as a visiting brother, and his conduct, if improper, but not disorderly, be reported to the Lodge granting the card.

4470. A veteran or non-contributing member is entitled to the Semi-Annual Password, and to a special visiting card and the A. T. P. W., so that his right to visit other Lodges than his own is governed by exactly the same rules as govern a contributing member.

4471. The right to visit means that the brother, if otherwise entitled, may sit in any Lodge open in any of the degrees taken by him; hence, an initiate, or member lower than the Third Degree, is entitled to admission into a Lodge opened in a degree to which he has attained.

4472. To visit any other than his own Lodge, the brother must be in good standing; hence, a member of an expelled or suspended Lodge has not the right to visit on an unexpired visiting card granted prior to such suspension or expulsion of his Lodge.

4473. Subordinate bodies, by existing regulations, possess an inherent right to protect themselves from disorder, the want of decorum and violations of the ordinary proprieties of life, and where a visitor is so disorderly, the Lodge may refuse him admission or eject him from the meeting, although such visitor is in possession of the proper card, and has proved himself, according to established regulations, entitled to admission into Lodges of any jurisdiction.

4474. Members in good standing in a Lodge in the same Jurisdiction have the right to visit without a card or official certificate, but must have the term P. W. The N. G. of a Lodge has not the right to admit a member belonging to another Lodge in his Jurisdiction without the term password But when visiting upon a visiting card or official certificate, the A. T. P. W. is the proper password to give. The semi-annual password is not necessary.

4475. It appeared that a person had been admitted to membership whose private character had previously been seriously blemished, and that apprehension existed that the reputation of the Order would suffer from his connection with it. Resolutions were thereupon offered in a sister Lodge requesting the objectionable person not to visit it, nor to appear in any public procession with it, and requesting the Lodge of which he was a member not to appoint him on any committee to confer with a committee of this Lodge. The N. G. declared the resolutions as not within the Jurisdiction of the Lodge, which was approved by the Sovereign Grand Lodge.

4476. After installation of officers and the receipt of the new password, the N. G. cannot admit a member of another Lodge on the old password, although the time for the installation of the officers of the visitor's Lodge has not yet arrived, and the visitor for that reason was not entitled to the password of the new term.

4477. A member of a subordinate Lodge who is in arrears for weekly or funeral dues more than thirteen weeks is not entitled to the term password or to vote in the Lodge; but is a contributing member until suspended, dropped or expelled, in accordance with the requirements of the Constitution, and as such is entitled to visit his own Lodge.

4478. A member cannot be prevented from visiting his own Lodge, although in arrears for non-payment of dues, until dropped or otherwise suspended from membership.

4479. To visit the Grand Lodge, the visiting brother must have the Semi-Annual Password, be a Past Grand, and have received the Grand Lodge Degree. If from another jurisdiction he must have a proper card or official certificate and the A. T. P. W. as well as have received the Grand Lodge Degree.

VISITATION BY MEMBERS—Right of.

4480. To visit the Sovereign Grand Lodge, the visiting brother must be vouched for by a Representative from the Jurisdiction from which he hails, and no Representative is authorized to vouch for any visitor unless the visitor is in good standing in his Lodge and Encampment, and Rebekah Lodge, is a Past Grand having the Grand Lodge degree, and must have all the qualifications of a Grand Representative.

(b). By Card or Official Certificate.

4481. Visiting cards severally entitle brothers holding them to visit Lodges during the life of the card, in their jurisdiction and in States or other places outside the limit of the Jurisdiction in which their Lodge may be located.

4482. Visiting Cards also entitle the holders thereof to all the courtesies of the brotherhood, as well as to the benevolent usages of the Order, if they should meet with accident or misfortune.

4483. The possession of a visiting card, the date of which extends to a date later than when the same is presented, or an official certificate for dues paid to a date later than that when the same is presented, properly signed, and sealed, is declared sufficient, proper and legal authority for any Noble Grand Chief Patriarch or Noble Grand of a Rebekah Lodge, upon proper identification' to communicate to the holder thereof the Annual Traveling Password, or the Rebekah Degree (as the case may be), and if the holder of a visiting card or official certificate, as above mentioned, is a member of a Lodge, or Rebekah Lodge in the same Jurisdiction as the Lodge, or Rebekah Lodge to which the said visiting card or official certificate is presented, then, and in that event, the Noble Grand, or Noble Grand of a Rebekah Lodge is authorized to communicate to the holder of said Visiting Card or Official Certificate the Semi-Annual Password.

4484. The legislation authorizing the official certificate, and making it authority for admission of its holder to Lodges, Encampments and Rebekah Lodges, is limited to the Continent of North America, and hence, such official certificate would not be authority for any Lodge not on the Continent of North America to communicate the A. T. P. W. thereon.

4485. The holder of a properly authenticated visiting card, the date of which extends to a date later than when the same is presented, and upon proper identification, would, in the same manner as is now practised upon the Continent of North America, be entitled to have communicated to him the Annual Traveling Password by the presiding officer of any Lodge, irrespective of the location of the Lodge to which it is presented.

4486. A brother wished to visit a Lodge of which he was not a member, and presented his official receipt, with the request for the Term Password, and there was no seal attached to the official receipt. The Noble Grand very properly refused to communicate the Term Password or to admit the brother to the Lodge.

4487. An official certificate entitles the brother to all the courtesies of the brotherhood, but not to the benevolent usages of the Order, if he should meet with accident or misfortune. In the latter case, the Lodge, at the request of the visiting brother, should communicate with his Lodge before extending any pecuniary relief.

4488. The brother seeking to visit on a Visiting Card or Official Certificate must establish his identity and prove himself in the degree in which the Lodge is open before he can be admitted.

4489. He need not necessarily have the A. T. P. W., as above stated; the possession of the visiting card or official certificate showing dues paid in advance is sufficient authority for the N. G., after satisfactory examination, to communicate to the holder thereof the proper password.

4490. If the brother be from another Jurisdiction, the N. G. will communicate to him the A. T. P. W. If the brother be from the same State, the N. G. will communicate to him the Semi-Annual Password of the Jurisdiction.

VISITATION BY MEMBERS—By Card or Official Certificate.

and as the Card or certificate is a properly-attested order for the A. T P. W.; therefore in the latter case, this password will also be communicated to the brother, so that if he is visiting in his own Jurisdiction he will then have both the Semi-Annual Password and the A. T. P. W.

4491. **The password that will be communicated** is the A. T. P. W. that is in force at the time the card is presented, although a brother holding a card or Official Certificate from one jurisdiction is entitled to the Annual Traveling Password in use at the time the card or certificate is issued, and retains the right to visit in another jurisdiction with this same password during the life of the card or certificate.

4492. The A. T. P. W. required of a brother to prove himself in possession of, when he offers to visit a subordinate Lodge on a visiting card or official certificate, is the A. T. P. W. of the year in which the card was issued and bears date. The A. T. P. W. to be communicated to a brother when requested of the N. G. by a visiting brother, is the A. T. P. W. in force at the time of the presentation of the card or certificate, provided the card or certificate covers a period which extends to a later date.

4493. A brother holding a withdrawal card is entitled to, and must have, the A. T. P. W. in use at the time the card issued, and retains the right to visit in his own or another Jurisdiction with the same password for a year from the date of the card, except in the case of a Withdrawal Card issued to a member of a defunct Lodge, when the right to visitation on a Withdrawal Card extends only for one year from the date of surrender by the Lodge.

4494. A brother who is in possession of an Official Certificate and the A. T. P. W. may visit a Lodge within his own Jurisdiction, although he be without the semi-annual password of the current term.

4495. The presentation of a withdrawal card is the production of "a proper card," as required by the laws of the Sovereign Grand Lodge.

4496. A withdrawal card in date entitles the brother holding the card and visiting thereon to the courtesies of the brotherhood, but not to the benevolent usages of the Order, should he meet with accident or misfortune, as the withdrawal card is based upon a withdrawal not only from beneficial membership, but from entire association with a Lodge except for trial for charges.

4497. The brother seeking to visit on a withdrawal card must establish his identity and prove himself in the degree in which the Lodge is open. He must have the A. T. P. W. which was in force at the time his card issued, or he must have a regular attested order from his Lodge requesting the N. G. to communicate it to him.

4498. In visiting on a withdrawal card in the Jurisdiction of the Lodge which issued the card, the brother must necessarily depend upon his card and the A. T. P. W., as by no possibility can he be entitled to the Semi-Annual Password.

4499. The holder of a dismissal certificate cannot be allowed to visit a Lodge.

4500. No brother from another Jurisdiction can be admitted to visit unless he presents a withdrawal or visiting card or official certificate under the signature of the proper officers and the seal of the Lodge of which he is a member, and signed on the margin in his proper handwriting, in the presence of the officer who communicated the A. T. P. W.; provided, nevertheless, a brother may visit if introduced by Grand Representative or other elective officer of the Grand Lodge.

(c). Examination and Introduction.

4501. In visiting his own Lodge or another Lodge, in this jurisdiction, the brother must have the semi-annual password, and work his way into the Lodge in the manner prescribed by the Ritual and the Work of the Order.

VISITATION BY MEMBERS—Examination and Introduction.

4502. A brother is admitted to his own Lodge although he may not have the Semi-Annual Password, but the N. G. has no right to admit members of another Lodge without the password.

4503. A member of a subordinate Lodge who is in arrears for weekly or funeral dues more than thirteen weeks is not entitled to the Term Password, but is a contributing member until suspended, dropped or expelled, and as such is entitled to visit his own Lodge.

4504. When a visiting brother presents himself at the door of a Lodge, it is his duty to hand his card or official certificate to the guardian, that it may be placed in possession of the Lodge. If the Lodge be satisfied of its authenticity, they will thereupon appoint a committee of three members, all of whom must have received the Scarlet Degree, to proceed to the anteroom and examine the visiting brother. One member of this committee must be the N. G. or the V. G. or junior P. G., or some other brother known to be in possession of the A. T. P. W., whose especial duty it shall be first to obtain the A. T. P. W. which was in force at the date his card or official certificate issued, privately, from the visitor, whose duty it shall be to commence by letters, or to state definitely that he has not, and desires to have it communicated to him (this can only be done by the N. G. after the examination). This preliminary being settled, the committee will then proceed to examine the visitor in the degree in which the Lodge is open.

4505. Strictly speaking, it is not within the power of the N. G. to appoint upon a committee to examine a visitor a member of any other Lodge, because the possession of the power to appoint presupposes the possession of the power to compel service; but if a member of another Lodge possessing the A. T. P. W. is willing to serve upon such committee, unless objection is made, the N. G. has the right to request and permit such service.

4506. The brother must be proved in the work of the degree expressed on the card; provided, however, if the card states the holder thereof to be a P. G. and he shall not be able to prove himself in the work of that degree from not having received it, the fact as set forth in the card shall be sufficient evidence to entitle him to the privilege such rank confers.

4507. A Subordinate Lodge cannot examine a visitor in the Grand Lodge Degrees.

4508. The committee has the right to examine the visiting brother in the address to the chair and in everything up to the highest degree of the Subordinate Lodge to which he has attained, as expressed upon the face of his card, or, in the absence of any statement thereon, to the highest degree claimed by the brother.

4509. A test obligation is no part of the mode of examining visitors prescribed by the Sovereign Grand Lodge, and any Lodge would be deserving of censure introducing any such requirements.

4510. When a visiting brother shall have proved himself entitled to admission in the mode pointed out, he shall be introduced to the Lodge by the examining committee, and not work his way in.

4511. It is the right of a Lodge to examine a visiting brother every night he may present himself for admission, and he must be introduced by the Examining Committee.

4512. After a visiting brother has been examined and introduced into a Lodge, no future examination of the brother upon the same card shall be necessary in the same Lodge, and introduction in form may be subsequently dispensed with if the Lodge is so minded, and he may be received into the Lodge at the opening and through the whole session; provided, the presiding officer, upon inspection, shall find the card is within date at the time of said visit and the Lodge shall be satisfied that the brother had before that time been regularly examined and admitted to its session on some former occasion on the same card.

VISITATION BY MEMBERS—Examination and Introduction.

4513. A Lodge may authorize its Noble Grand to cause brothers visiting by card or official certificate, to be examined prior to the opening of the Lodge, but they must afterwards work their way into the Lodge.

(d). By Introduction of Elective Grand Lodge Officers.

4514. A brother may always visit, if introduced by a Grand Representative or any elective officer of the Grand Lodge, within whose Jurisdiction he wishes to visit, Grand Representatives of either branch being authorized to introduce visiting brothers into both Subordinate Lodges and Encampments in their several jurisdictions; but in all such cases the presiding officer of the same shall be satisfied that the brother introducing such a visitor is a Grand Representative of the jurisdiction to which said Lodge belongs.

4515. A Grand Representative from the Grand Encampment of Pennsylvania, and residing and having his Encampment membership there, can introduce a visiting member of the Order from another Jurisdiction to a Representative or elective officer of the Grand Jurisdiction to which said Lodge belongs.

4516. A Grand Representative or other elective officer of a Grand Lodge, acting in his official capacity, possesses the privilege of introducing a visiting brother to a Subordinate Lodge within the Jurisdiction to which he belongs. Therefore, a Grand Representative or elective Grand Lodge Officer, in introducing a visiting brother, must himself of necessity make an official visitation to the body visited and announce his rank and title at the inner door, in order to exercise such privilege of office held by him. Consequently, under the law, he shall be acknowledged with the honors of the Order, which should be given after addressing the chairs and before the oral introduction of the visiting brother.

4517. An elective Grand Lodge Officer or a Grand Representative's right to introduce visitors is confined to his own Jurisdiction, but a Grand Representative has the right to introduce visitors in both the Encampments and Lodges of the same State District or Territory he represents.

4518. The Lodge to which such a visitor is introduced has no right to question the Grand Representative or elective Grand Lodge Officer as to the law or as to how he satisfied himself that the brother was entitled to visit. It has only the right to know that he is a Grand Representative or elective Grand Lodge Officer of the same Jurisdiction.

4519. The brother thus introduced, so as to visit a Lodge, need not have the A. T. P. W. or any password whatever.

4520. The brother thus introduced must be from another Jurisdiction, as elective Grand Lodge Officers or Grand Representatives are not authorized to introduce to Subordinate Lodges members of their own Jurisdiction.

4521. A D. D. G. M. has no right to introduce visitors whose cards or certificates are out of date or who have cards or official certificates, that power being vested by law in elective Grand Lodge Officers and Grand Representatives.

VISITING LIMITS.

4522. A Lodge cannot provide that the Visiting or Relief Committee shall not be required to visit a sick member residing more than three miles from the town in which the Lodge is located, nor can a member of such Lodge assigned to watch with the sick refuse to tend a sick brother who resides beyond the distance to which the Visiting Committee is required to go by such By Law. There can be no limit to the distance to which brothers shall go to visit a sick member within the territorial jurisdiction of the Lodge.

VISITING CARDS.

See **Cards.**

VOTING.

(a). In the Grand Lodge. (b). In the Subordinate Lodge.

(a). In the Grand Lodge.

4523. Constitution altered by two-thirds of these voting, a majority of representatives being present.

By-Laws altered by two-thirds of representatives present.

Constitution for Subordinate Lodges altered by two-thirds of Representatives present.

For expulsion of a Lodge, on report of a committee, two-thirds of the Representative present.

For expulsion of a member on report of a committee, two-thirds of the Representatives present.

To suspend a Lodge on report of a committee, a majority of the representatives present.

To suspend a member on report of a committee a majority of the representatives present.

A majority vote of the representatives present to reverse a decision of the Grand Master.

A majority may require every member to vote.

A majority may reconsider the vote at the same session.

The previous question may be called for by ten Representatives.

A vote by Lodges may be called for by seventy-five Representatives.

An appeal from a decision of the Grand Master may be called for by ten Representatives.

To suspend a rule requires general consent.

To elect an officer, the highest vote polled.

4524. It is clearly against law and justice to allow a Lodge having a direct interest in any matter before a Grand Lodge to vote upon any question in which it is interested. The rule is the same, although the question be only preliminary, to the consideration of a subject in which said Lodge is interested, and although the rules of order provide that every member present shall vote on any question before the Grand Lodge, unless he is personally interested in the result or has been excused by the Grand Lodge, or is otherwise incapacitated.

4525. A member of the Grand Lodge cannot vote upon a question before the Grand Lodge for determination in which the Subordinate Lodge of such member is financially interested.

4526. Grand Officers are not entitled to an ex-officio vote in their Grand Lodges, but it is also competent for local legislation to give them that privilege. When a Grand Lodge adopts a representative system none of its Grand Officers can vote in the absence of local legislation; when that exists, all may vote in accordance with its provision.

4527. When the Constitution of a Grand Lodge provides for the election of Representatives from Subordinate Lodges, and declares that the members of the Grand Lodge shall be P. G.s who have been duly and regularly elected as Representatives, upon a call for a vote by Lodges, Past Grands or Past Officers, of whatever grade, who have not been elected Representatives, cannot cast the votes of their Lodges.

4528. The names of the seventy-five Representatives standing up to call for a vote by Lodges do not have to be recorded.

4529. Order of motions.

1. To proceed to close or adjourn.
2. Previous question.
3. Lie on the table.
4. Postpone indefinitely.
5. Postpone to a certain time.

VOTING—In the Grand Lodge.

4530. No debate on motions.
To proceed to close or adjourn.
The previous question.
To lie on the table.
To read a paper.

4531. Election for officers.
In Grand Lodge, Representatives to Odd Fellows' Hall Association.
In Subordinate Lodges, last stated meeting in March for Grand Lodge Officers.
Last stated meeting in March for District Deputy Grand Masters.
Last stated meeting in September for Representatives to the Grand Lodge.
Last stated meeting in March and September for Subordinate Lodge Officers.

4532. The right of a Past Grand in good standing to vote for Grand Officers is an inherent vested right of which he cannot be deprived. For that reason a Grand Body cannot so amend its laws as to elect its Grand Officers by the Representatives present in Annual Session. Nor that the Past Grands and Representatives of each Lodge shall have one vote collectively for officers of the Grand Lodge.

4533. The Grand Lodge may provide that Past Grands who are not Representatives shall not be allowed to vote therein except for the election of officers.

4534. The General Law does not authorize a Past Grand to cast his vote for any purpose in a Lodge other than the one to which he belongs. In the absence of local legislation Past Grands can vote for Grand Lodge Officers only at the Grand Lodge Sessions. The manner in which Past Grands may vote for Grand Officers is also subject to local legislation.

4535. Past Grands, on whom devolve legislative powers and who are vested with certain rights and privileges, cannot surrender those rights and privileges to anybody in the Order. They may fail to use them, but the right remains so long as they are members in good standing in the Order.

4536. Past Grands cannot be deprived of the right to vote for Grand Officers, but at an election of officers, after the right has been once exercised, a Constitutional provision limiting this right (in cases where there has been a failure to elect) to the Representatives of the Lodges in the Grand Lodge, when such Grand Bodies are composed of Representatives and all other Past Grands, is entirely legal and equitable, and does not infringe upon the original right of Past Grands to vote at such elections. When Past Grands can vote in their Lodges for Grand Officers they are not entitled to vote for them in the Grand Lodge unless they are Representatives, although they neglect to vote in their Lodges.

4537. The Constitution of a Grand Lodge organized on the Representative system, and whose Past Grands voted for Grand Officers in the Subordinates, provided as follows: "Should any elective officer fail to be present at the proper time for installation the office shall be declared vacant and shall at once be filled by the Representatives." This is legal. It does not deprive a Past Grand of his original right to vote for Grand Officers, but only provides for an election by the Representatives in a certain contingency, happening after all Past Grands have exercised or had a chance to exercise their right to vote.

4538. Past Grands as Past Grands have no right to vote by proxy. It is therefore illegal for anyone to cast a vote for an absent Past Grand when the local law provides that Past Grands must be present and vote in person.

(b). In the Subordinate Lodge.

4539. All voting in a Subordinate Lodge and Degree Lodges is by the voting sign, unless otherwise provided. The exception is a ballot for membership, advancing to degrees, granting Withdrawal Card, suspending or expelling members and reinstating them, electing officers, reconsidering a ballot for membership, when

VOTING—In the Subordinate Lodge.

yeas and nays are ordered, etc., in which cases provision is made by law for voting otherwise.

4540. On resolutions relative to the death of a brother in a Subordinate Lodge, a rising vote may be taken without giving the voting sign.

4541. No Past Grand or member can legally vote in any other than his own Lodge.

4542. A member of a Lodge can only vote when present in the Lodge; a letter cannot stand for or represent the vote of a member.

4543. Every brother present in a Lodge, if qualified to vote, is obliged to vote on all questions, unless excused by the Lodge, and no particular number of votes are necessary so long as a quorum is present.

4544. A member of a Subordinate Lodge, who is in arrears for weekly or funeral dues more than thirteen weeks, is not entitled to vote in the Lodge, but is a contributing member until suspended, dropped or expelled in accordance with the requirement of the Constitution, and as such he is entitled to visit his own Lodge.

4545. A member cannot vote or take part in the business of a Lodge unless he is in proper regalia. [By the general law, "When a chevalier, as such, visits a subordinate, he must be clothed in full uniform, either the full dress or the fatigue, but he cannot occupy any chair, or do the work of any officer in a subordinate lodge while dressed in P. M. uniform." The words "as such" applies directly to the subordinate member as a chevalier, and when desiring to be so recognized, then instruction is given how to appear, which would equally apply whether he be attending his own subordinate lodge or visiting another.]

4546. Members cannot vote from the ante-room. To be entitled to take part in the business of the Lodge they must come into the Lodge room proper. The ante-room is a part of the Lodge room only for certain purposes.

4547. Whether a Noble Grand can compel a brother to enter the Lodge room from the ante-room for the purpose of voting depends on the local law.

4548. No brother can be permitted to cast his vote elsewhere than in the Lodge room.

4549. If a mistake is made by the Warden in reporting the vote, it is right for the Noble Grand to correct him, and it is right for the Noble Grand, with a knowledge of the fact, to require the vote to be again taken and declare correctly the vote upon the question.

4550. The Noble Grand, however, alone has the prerogative to declare the result of the vote in his Lodge, no matter how it is taken.

4551. It is legal and proper to provide by the By Laws that at the election of officers of a Lodge the Warden shall "distribute and collect the ballot." The ballot-box is not required to be in the centre of the room.

4552. A brother who is over thirteen weeks in arrears on election night or any other time is not entitled to vote. The question was asked whether a brother, by paying a portion of his dues, so as to bring him within three months of arrearages, on election night before the election takes place, was entitled to vote. It was decided that a brother is entitled to vote as long as he does not owe more than thirteen weeks' dues.

4553. A candidate for office in his Lodge is privileged to vote at the election for himself or his opponent.

4554. A Lodge can lawfully make a By Law permitting the Vice Grand to destroy the ballot after the result of the vote has been announced by the Noble Grand.

4555. The casting of an illegal vote does not invalidate a ballot unless it affirmatively appears that such illegal vote did change or might have changed the result.

VOTING—In the Subordinate Lodge.

4556. Legal votes are not to be thrown out in order to exclude illegal votes unless necessity requires it as the only means of preventing the consummation of a fraud.

4557. When but one candidate is in nomination, a member may be directed to cast the ballot for such candidate on behalf of the Lodge. A motion to declare him elected is improper.

4558. Provision in a By Law of a Subordinate, that where there is only one candidate in nomination, he may be elected by acclamation, is not in conflict with the General Law, but is in conflict with the Constitution for Subordinate Lodges which provides that all officers shall be elected by ballot and therefore void.

4559. Where a single candidate is in nomination for an office and the law provides that all elections for officers shall be by ballot, and by a majority of the votes polled, and he receives six votes and there are eleven blank ballots, the candidate is defeated.

4560. Although the Constitution for Subordinate Lodges requires officers to be elected by ballot, a brother who is elected N. G. by the usual sign and declared so elected by acclamation, there being no opposing candidate and no objection made at the time, is a duly elected officer under the law.

4561. Right to vote a secret ballot applies to a poll for the election of officers and Representatives when written ballots are used.

4562. A brother endeavoring to ascertain the names of those voting for officers where written ballots were used is not guilty of any offense under our laws. It is otherwise with respect to balloting on candidates for admission.

4563. On application for membership by card, three black balls reject.

On application for membership by initiation, two black balls reject.

When only one vote is cast, and that being a black ball, it rejects.

To restore a member suspended for non-payment of dues, a majority sustains the report of the committee.

To restore an expelled member requires a two-third vote.

Report of a Trial Committee, on charges, a majority sustains the report as to the guilt or innocence of the accused.

If found guilty, to suspend requires a majority.

To expel requires two-thirds of the members voting.

For any of the three degrees, three black balls reject those initiated prior to July 1, 1882.

For the Past Grand's Degree no vote is required, the Noble Grand directs a certificate to be issued to the retiring Noble Grand, even though he succeeds himself.

For officers, a majority of the votes polled for those on legal nomination.

For Withdrawal Card, a majority vote by ballot.

For Dismissal Certificate within five years of suspension a majority by ballot is required.

For Dismissal Certificate after five years from suspension no vote is required, the Noble Grand directs, unless charges are preferred.

For Visiting Card, a majority vote or by general consent.

4564. The General Law recognizes that very much of the legislation of all Bodies is done by general consent, and without the formality of a vote.

4565. The votes shall be taken with ball ballots in the following cases:

1. Upon the report of a Committee on Candidate for Initiation.

2. Upon the report of a Committee on Application or Proposition for Membership on card or official certificate.

3. Upon the report of a Committee on Application to restore a member for non-payment of dues.

4. Upon the report of a committee to receive a member upon a Dismissal Certificate.

VOTING—In the Subordinate Lodge.

5. Upon the report of a committee to receive a member upon application as an Ancient Odd Fellow, including applicants who resigned from the Order or lost their card or certificate.

6. Upon the report of the committee upon application to restore an expelled member.

7. Upon an application for the first, second and third degrees for those initiated prior to July 1, 1882.

8. Upon granting a Withdrawal Card.

4566. It is the right of a brother to vote a secret ballot, and he has not the right to conceal or expose the character of his vote at pleasure, except that in case of a voluntary motion of all those who cast black balls against an applicant for membership for a reconsideration of the ballot. In such case it is lawful for such brothers to expose the character of their vote. To endeavor to discover how a brother has voted upon a secret ballot for the purpose of bringing odium upon him is an offense of itself. It is a violation of the law to endeavor to ascertain how a brother voted upon an application for membership. A member cannot make known his ballot on an application for membership under any circumstances except as therein provided by the laws of the Order.

4567. In all cases of balloting by ball the use of cubes or other devices similar to balls in form shall be a substantial compliance with the rule or law requiring the use of balls.

4568. In balloting it is not legal to have balls and cubes of the same color, the cubes of the same color as the balls to take the place of and to be considered as black balls. While it has been held that the use of a black cube satisfies the requirement for the use of a black ball, yet the distinction and difference in color between the negative and affirmative votes cannot be disregarded; white balls and black cubes would answer the requirements of the law.

4569. The vote shall be taken by either written or ball ballots.

Upon the report of the Committee on Charges, as to the guilt or innocence of the accused.

To determine the punishment to be inflicted upon the brother found guilty as charged.

4570. The election for officers in a Subordinate Lodge shall be by written or printed ballot.

The Grand Lodge election shall be by written or printed ballot.

4571. It is lawful to use printed ballots at an election or for voting.

4572 When the constitution provides that in voting on the various penalties named, "it shall so proceed until some order of punishment is agreed upon," some one of the penalties provided by the Laws must be enforced by the Lodge.

4573. No ballot is required to fix the penalty when it is prescribed by law, the conviction carries the enforcement of the penalty with it by the Lodge.

4574. The vote in a Subordinate Lodge shall be taken by the voting sign. In all the ordinary business transactions of the Lodge.

4575. The vote shall be taken with tickets.

1. For Grand Lodge Officers.
2. District Deputy Grand Master.
3. Representative to the Grand Lodge.
4. Elective officers of the Subordinate Lodge and Trustees.

4576. No member or members of any Subordinate Lodge shall vote upon any question in which he or they may be interested, or in which he or they intend to become interested, or by reason of his or their connection, or intended connection with any Lodge of this Order then existing or about to exist, or with any other organization, and should a member or members so vote, he shall, upon the discovery and proof of the fact, be considered guilty of unbecoming conduct, for which he may be suspended from the

VOTING—In the Subordinate Lodge.

Order. And the Lodge in which the offence was committed may, in case said member has joined some other Lodge of this Order, institute charges for said offense in said Jurisdiction, with the right to appeal from its decision, should the brother be acquitted of the charges, nevertheless members of a Lodge have the right to band themselves together, go into the Lodge, each apply for a withdrawal card and unitedly vote to grant them for the purpose of applying for a charter for a new Lodge in the same place.

4577. No member of a Lodge shall vote upon any question relating to the fiscal affairs of his Lodge, in the result of which he has a direct personal interest, but may vote upon all questions concerning the leasing or renting of the hall or other property of his Lodge to any Lodge or Encampment or Rebekah Lodge or Canton of this Order, and all law in conflict herewith is repealed.

4578. A member of a Lodge is not debarred from voting upon the question of the execution of a lease between said Lodge and an Odd Fellows' Hall Association by the mere fact that he is a holder of stock in said Association, the Lodge in question being also a holder of the stock of said Association.

4579. The exception made in the previous section does not apply to a case of voting to loan the money of a Lodge to a Canton. A member of a Canton has no right to vote to loan the money of his Lodge to his Canton.

4580. In voting upon questions before the Lodge, the Noble Grand may require every member present and entitled to a vote, to vote, unless excused by the Lodge, but when such requirement is not made by the Noble Grand or by direction of the Lodge, no notice can be taken of the members not voting (further than their tacit agreement with the majority voting), and when there are no votes given in opposition to a question, it is unanimously carried within the meaning of the law which requires a unanimous vote.

4581. All Third Degree members in good standing have a right to vote for Representative to the Grand Lodge.

WARDEN.

4582. It shall be the duty of the Warden, previously to the Lodge being opened in any degree, to see that the guardians are at their stations in the performance of their duties, that the ante-room is clear, and ascertain with certainty that all persons present are in possession of the Degree in which the Lodge is about to be opened and report the same to the Noble Grand; and further, to assist him in the performance of his duties.

4583. In examination prior to opening the Warden should receive the Password from the Noble Grand, who is the custodian of the Password.

4584. In the opening the brethren will give the P. W. to the Warden or acting Warden, even if he has not assumed the regalia of the office. It is sufficient if the presiding officer recognizes him as Warden and gives him orders accordingly.

4585. The Noble Grand can authorize the Warden to communicate the Password to a brother in the Lodge room entitled to it.

4586. Immemorial custom and usage have assigned particular places for all the offices of a Subordinate Lodge, which, in the absence of written law to the contrary, is binding, and under this assignment the Warden's position is in front of the Right Supporter to the Noble Grand, and he cannot deliver his charge from any other place without a violation of law.

4587. The Warden has not the right to demand the Degree Password from a visiting brother who has been duly examined and admitted by card or Official Certificate when the Lodge is about to open in a higher degree.

4588. It is legal and proper to provide by a By Law that at the election of officers of the Lodge, the Warden shall distribute and collect the ballot.

WARDEN.

4589. A Lodge has no legal right to pay a salary to a Warden.

4590 A By Law was submitted to the Grand Lodge, which reads as follows: "Section 2. It shall be the duty of the Warden to repair all the paraphernalia of the Lodge, and he shall receive as a compensation for his services five dollars per quarter." This By Law is capable of two meanings; if it means that part at least of the salary is as a compensation for his performance of the ordinary duties of Warden, it is clearly illegal, for a Lodge cannot pay a salary to a Warden. If it means that the Lodge pays solely for the service in repairing the paraphernalia, and for that alone, it is legal. The Grand Lodge accepted the latter view.

WEEKLY BENEFITS.

4591. The payment of weekly benefits in accordance with the requirements of the general, local laws and By Laws on the subject by Subordinate Lodges, to sick members is the distinguishing characteristic of our Order, and may be regarded as the fundamental principle of Odd Fellowship.

4592. The receipt of such benefits is a right and not a charity, and it is the duty of such Subordinates to tax their members in order to pay said benefits.

4593. A Subordinate Lodge is compelled to pay its sick beneficiary members continuous weekly benefits of some stipulated amount, and this law is equally applicable to Lodges under the Jurisdiction of State Grand Lodges and those under the immediate Jurisdiction of the Sovereign Grand Lodge.

4594. The payment of a sick benefit is one of the fundamental principles of the Order, and no other rule is recognized than that "benefits are payable weekly." That is, every member entitled to benefits is entitled to the same at the end of each Lodge week, and not at the end of a month or a quarter; and where local legislation provides for the payment of benefits for fractions of a week after the first week, the right to enjoy the benefits accrues at the end of the week of which the fraction is a part The amount due the beneficiary is limited by the amount which the Lodge has agreed to pay for that week of which the fraction is a part.

4595. The fact that a brother recovers from a spell of sickness four days prior to the end of a Lodge week does not warrant him in demanding, immediately upon the date of his recovery, the amount due him for the fractional part of the week he was ill, to wit, three-sevenths. To this extent only "fractional parts of a week are not considered" in the payment of benefits.

4596 The system of weekly benefits is designed merely to afford relief, not support, to sick and disabled members.

4597. Twelve working days cannot make two weeks under our laws, but those laws do not recognize parts of days in cases of benefits; therefore, if a brother be taken sick on the twelfth and reported well on the twenty-fifth, he is sick two weeks. Both days are to be counted.

4598. Under a law forbidding the payment of benefits for a fractional part of a week, it is unlawful for a Lodge to pay benefits for such fractional part of a week of illness.

4599. Neither a Grand Lodge nor a Grand Master can grant a dispensation to enable a Subordinate to suspend the payment of weekly benefits. Nor can a Subordinate do so by vote. Nor can a Lodge, by tacit consent of its members, keep in force a By Law which has been actually repealed, and deprive thereby a brother of benefits to which he is fairly entitled under existing law.

4600. A By Law of a Lodge depriving a member of benefits after reaching the age of 65 is illegal and void.

4601. A brother, in arrears for dues for more than thirteen weeks, is not entitled to benefits, and his Lodge has no right to pay him benefits.

WEEKLY BENEFITS.

4602. Neither the Grand Lodge nor a Subordinate Lodge may legally provide for the payment by the member to his Lodge of a fixed round sum in full of all dues during life instead of periodical dues. A member cannot be entitled to benefits for life and relieved from all future payment of dues.

4603. As the laws define explicitly the terms of good standing of members of Lodges in this Jurisdiction, a qualification not recognized by such laws cannot be attached by the By Laws of a Lodge to the right to benefits, as for example, to require attendance at Lodge meetings once a quarter in order to be entitled thereto.

4604. The right to benefits cannot be made dependent upon residence in the territorial Jurisdiction of the Lodge, and the Lodge has no right to withhold them if the member goes to any point where his interests, welfare or comfort may take him, even though the climate is more dangerous, or the new occupation would increase the risk of life or health.

4605. It is within the Jurisdiction of a Grand Body to approve of the By Laws of a Subordinate which provides for the payment of a higher rate of dues by those whose occupations are of such a hazardous nature as to make them more liable to accident, or by reason of their residing in a locality where the climatic conditions increase their liability to disease, than is required of a member living under the ordinary conditions.

4606. It is a fundamental rule that a member who is beneficial at the commencement of his sickness cannot be deprived of benefits during that sickness, though he becomes in arrears, as it is the fault of the Lodge in not retaining so much of his benefits as would keep him in good standing during such sickness.

4607. When a Lodge neglected to deduct the dues from the benefits, and the brother had a relapse, and the Lodge declined to pay him benefits, because he was in arrears, the brother appealed to the Grand Lodge, and his appeal was sustained and the Lodge directed to pay benefits for the reason that the evidence shows the brother is entitled, because he could not (according to the laws of the Order) be in arrears, having been declared off charge October 2, and being reported on again December 18, viz., eleven weeks, as according to law his dues should have been deducted in full to date of reporting off, October 2.

4608. Where a member of a Lodge is entitled to benefits, which are being regularly paid him at the time, enters a Soldiers' Home, and the hospital connected therewith, provided under the laws of the State for sick, disabled, aged or indigent soldiers, he is entitled to a continuance of weekly benefits after his admission to said Home, he being in receipt of benefits at the time of his admission thereto.

4609. If the brother was not on the sick list at the time of his admission to the Home, he will be entitled to weekly benefits for a sickness or disability occurring at any future time while he remains an inmate thereof, he being otherwise entitled.

4610. When a member of a Lodge, clerking in a store, is taken sick, and while sick his employer pays him his salary, if otherwise entitled under the local laws, the fact that he receives his salary, does not disentitle him to benefits.

4611. Where all the facts necessary to a correct conclusion as to a brother's right to benefits are in the possession of his Lodge, he is not censurable for receiving them.

4612. The By Law of any Lodge conflicting with a law passed by the Grand Lodge, or the Sovereign Grand Lodge, becomes inoperative and void. To hold otherwise, upon the ground that the brother was receiving benefits under "a contract" between him and his Lodge, would virtually nullify the law, because, if the benefits are drawn under "a contract," such contract necessarily dates from the admission of the brother into his Lodge, and would exclude from the operations and charges of the law nearly all the

WEEKLY BENEFITS.

present membership of the Order. Whatever contract was entered into between the brother and his Lodge at the time of his initiation, as evidenced by the Constitution and By Laws of the Lodge, is a contract in so far as the promise to pay benefits is concerned, subject to alteration, either by the Lodge itself, or by any superior authority, including the Sovereign Grand Lodge, the Grand Lodge or his Lodge, and whenever such alteration is duly and legally made, neither the Lodge, nor the brother, has any cause to complain, but must comply therewith. The law in question is, that a sick or disabled brother is entitled to receive at least two dollars per week during the first year of his sickness or disability, and one dollar at least per week after the expiration of the first year and so long as he continues sick or disabled. And this is so, notwithstanding the terms of any By Law of his Lodge, and notwithstanding the fact that he became sick or disabled and was drawing benefits prior to January 1st, 1892.

4613. Although the finances of Subordinates are under their control, yet such control is limited by the general and local law.

4614. "The laws of the Order contemplate the payment of benefits to all members in good standing, but they also leave it with State authorities, or, if they do not act, with Subordinates, to prescribe when the benefits are to be given. For instance, a State Grand Body may say that no brother shall be entitled to receive benefits until he shall have attained the Scarlet Degree, and it may also say that card members shall not be entitled to benefits until they shall have been members six months or more after depositing; or a State Grand Body may enact a law to the effect that card members shall be entitled to benefits at once, and that initiates shall be entitled to benefits from the night of initiation."

4615. The Grand Lodge has full power and authority to enact Constitutions for its Subordinates and to amend the same upon the subject of benefits, and the By Laws of each Subordinate to have force and effect must be confirmed by the Grand Lodge.

4616. In 1891 the Sovereign Grand Lodge took the control of the subject of benefits entirely into its keeping and adopted the minimum benefit law.

4617. The minimum benefit law takes precedence over all existing laws, in so far as it is in conflict with them.

4618. The minimum benefit law of 1892 being practically a repeal of the law of 1891, revives the powers of Grand Bodies, which were abrogated by the latter. On and after January 1, 1893, the powers that were withdrawn from Subordinates in the matter of benefits by the legislation of 1891 may be exercised by them to the same extent as prior to January, 1892, except in so far as they may conflict with the requirements of the minimum benefit law; that is to say, the payment of not less than two dollars per week for the first year of continuous sickness and not less than one dollar per week during the further continuance of the same sickness.

4619. The resolution adopted at the Annual Session of 1891, and as found on page 12,670, Revised Journal, was amended by adding at the end of word "member" in the third line of said resolution, the following words, "entitled to sick benefits by the Constitution or By Laws of his Lodge," so that said resolution reads as follows, viz.: "Resolved, That it be, and is, hereby made obligatory upon each Subordinate Lodge of the Order to pay from its funds, during the continuance of the disability, a weekly benefit of not less than two dollars to every member entitled to sick benefits by the Constitution or By Laws of his Lodge, who shall be disabled, by sickness or bodily injury, from following his usual occupation, or otherwise earning a livelihood for himself; provided such disability be not the result of his own vice or immorality; provided, however, that Subordinate Grand Lodges may provide that, when a member shall have received one full year's benefits, the weekly benefits thereafter to such member may be fixed at not less than one dollar per week."

WIDOW.

4620. Where a brother dies in good standing, the Lodge is bound to pay the widow funeral benefits provided by the By Laws, notwithstanding he may have lived with her in adultery prior to their marriage after having deserted his former wife and family. No conduct on her part prior to her husbands death can affect her right under the law that the benefits shall be paid provided she maintans good character after his decease.

4621. Her right does not depend upon color or any other embarrassment under which she may labor at the time of his death. If she was his lawful wife at the time of his death, and he died in good standing, she is entitled to the funeral benefits.

4622. A Lodge cannot refuse to pay funeral benefits to the family of a deceased brother on the ground that he committed suicide.

4623. If her husband was admitted by fraudulent misrepresentation of his age, which was not discovered until after his death, she is not entitled to the funeral benefits.

4624. A donation to the widow of a deceased brother of $2000 is a violation of the law in regard to trust funds.

4625. The widow has the right to say whether the funeral service shall be held over the deceased brother, and to decide whether the Lodge or the Encampment, where he belongs to both Bodies, shall conduct the funeral ceremony.

4626. A widow has the same right of appeal as to benefits as her deceased husband would have enjoyed had he been living.

4627. The general construction of the law of the Order, as regards funeral benefits, is that the widow is primarily entitled to the benefits; the clear intention is, that a widow, in order to be entitled, must be one who resided with her husband at the time of his decease, or who depended upon him for support. If a wife did not live with her husband at the time of his death, the law is, that she would not be entitled to the funeral benefits unless she can show that her husband had no good or reasonable cause for leaving her.

WIDOWS' AND ORPHANS' FUND.

4628. In jurisdictions where an Odd Fellows' Home is maintained the Grand Lodge of such jurisdictions is authorized to empower the Subordinate Lodges to severally merge the widows' and orphans' fund with the general funds of the Lodge.

WIFE.

4629. It is illegal for a Lodge to pay a member's wife for nursing him when sick.

4630. A wife may be a witness against her husband where he is arraigned upon the charge of inflicting corporal injury upon her.

4631. Where a woman is divorced "*a vincula matrimonii*," she is no longer a wife and may testify against her husband, but not where the divorce be merely "*a mensa et thoro*;" there the separation is not complete, and she may not testify except as stated in the preceding section.

WITHDRAWAL.

See Cards.
Resignation.

See Ancient Odd Fellows.
Transfer of Membership.

4632. Withdrawal signifies an honorable severance of connection with a Lodge or the Order.

4633. A member wishing to sever his connection with his Lodge or the Order, must first comply with all the duties required of him by the laws of his Lodge, then he may withdraw by taking a Withdrawal Card or by tendering his written resignation, whichever he may prefer.

4634. Any member of the Order complying with the conditions and the requirements of the transfer of membership law, and making application therefor in accordance with the requirements for the transfer of membership, may be elected to become a member of the Lodge to which he shall apply for membership without first withdrawing from his present Lodge.

4635. A brother paid his dues in advance, taking an Official Certificate as a receipt for the same. He then applied for a Withdrawal Card, which was granted to him September 5, but did not come into his possession until after October 3. On September 15 the brother applied for membership in another Lodge by depositing his Official Certificate, and was elected to membership. The Lodge electing the brother then wrote his old Lodge, requesting his Withdrawal Card, which was forwarded, and on October 6 the brother deposited his Withdrawal Card and signed the Constitution in the Lodge that had elected him to membership. Held, that he was a legal member of the Lodge to which he had transferred his membership.

4636. Upon election of such brother by the Lodge to which he shall apply for membership, said Lodge shall notify the Lodge of which he is a member of such election, when, being free from all charges and the payment of all dues and fees, upon proper application he shall be entitled to a Withdrawal Card.

4637. Upon deposit of said Withdrawal Card with said Lodge in which he had been elected, he shall be entitled to sign the Constitution and be received in full membership from such time upon the payment of the admission fee required by the By Laws of said Lodge, or without admission fees, according to the methods whereby the transfer of membership was made.

4638. A rejection by any Lodge of a brother applying, as above, shall have the same effect as in the case of a rejection on the deposit of card.

4639. When a brother withdraws from a Lodge by written resignation, he becomes at once an Ancient Odd Fellow.

4640. When a Withdrawal Card has been granted on behalf of a member in his absence, the Lodge, when advised of the fact that no such card was desired by the brother, is bound to recall the card.

4641. In the absence of local law, any brother can deposit a Withdrawal Card and a Lodge receive him without asking consent of the Lodge granting it, or of any Lodge. The only requirement is that he must reside in the territorial Jurisdiction of the Lodge which he proposes to join.

WITNESSES.

See Trial. *See* Evidence. *See* Testimony.

4642. A number of the trial committee is not a competent witness against the accused.

4643. Two of the five members of a Trial Committee were without objection allowed to testify to some minor matters which the accused did not question or contradict, but on the contrary confirmed. Held, not to be error, as the testimony could not work injury to the accused, and, in addition, the Lodge as a Lodge reheard the case.

WITNESSES.

4644. A wife shall be allowed to testify against her husband in a case where he is arraigned upon the charge of inflicting corporal injury upon her.

4645. A woman divorced "*a vinculo matrimonii*" may be introduced as a witness against her former husband, as she is no longer a wife to and ceases to have any interest whatever in the accused, but if the divorce be really "*a mensa et thoro*," the separation of the parties is not complete and she may not testify except as stated in the foregoing section.

4646. The following or similar obligation will be administered by the Chairman of the Trial Committee to witnesses who are members of the Order. You do sincerely declare upon your honor as an Odd Fellow that the evidence you shall give in the matter of the charge preferred by Bro., against Bro., now pending, shall be the truth, the whole truth, and nothing but the truth. Thus you do affirm.

4647. And to the testimony, when read and verified by the witness, shall be appended the following or similar certificate: I hereby certify upon my honor, that the foregoing statements constituting my testimony in the matter of the accusation against Brother by Bro., are true, the whole truth in the case, so far as known by me, and nothing but the truth.

(Signed)

Attest:

.....

Chairman.

4648. Witnesses who are not members of the Order will be heard the same as members, upon pledge of honor.

4649. Any member of the Order summoned as a witness, or to produce such books or papers as may be required, neglecting or refusing to obey such summons, may be reprimanded and fined, suspended or expelled at the option of the Lodge to which such refractory member may belong.

4650. The Secretary of a Lodge who has been properly summoned as a witness to produce the Minute Book, who fails to appear or send his books, is liable to charges.

4651. Witnesses who are members of the Lodge trying the case may be summoned by the following notice, but a witness who appears voluntarily does not require this notice:

.....Lodge, No. ..., I. O. O. F.,

.....19...

To

You are hereby notified and required to appear before the committee heretofore appointed to try the charges preferred by Brother..... against Brother at on the day of, A. D. 19..., at o'clock .. M. of that day, to testify as witness therein, on behalf of said

By order of the Committee,

....., Secretary.

Or in case the witness is required to appear before a Commissioner who is taking testimony in a contested claim for benefits the following form may be used:

.....Lodge, No....., I. O. O. F.,

.....19....

To.....

You are hereby notified and required to appear before me as the Commissioner appointed to take the testimony in a certain contested claim for benefits made by against Lodge, No. I.O O.F. at on the day of A.D. 19 ... at o'clock M. of that day to testify as witness therein on behalf of said

.....,

Commissioner.

WITNESSES.

4652. When the accuser or accused shall notify the Chairman of the Trial Committee in writing that he requires the presence of a member of the Order residing or sojourning within the territorial jurisdiction of the Lodge, as a witness, the Chairman shall endorse such notice, stating the time and place of meeting, and transmit it to the Noble Grand of the Lodge of which such witness is a member, who shall cause the member (or members) to be summoned according to the above form.

4653. The party desiring to take the deposition of an absent witness shall file with the Secretary of the Lodge the interrogatories he wishes to be propounded to the witness or witnesses, naming them. The Secretary shall immediately deliver, or cause to be delivered, to the opposite party, a copy of the interrogatories. The latter party, within one week of such service, may file counter interrogatories with the Secretary if he or they think proper.

4654. At the expiration of the week, or sooner, if counter interrogatories be sooner filled, the Secretary shall forthwith forward them to the Noble Grand of a Lodge near the witness, with a communication requesting him to take the deposition of the witness or witnesses named.

4655. Upon receipt of the same, the Noble Grand shall, as soon as possible, take, or cause the depositions to be taken, by some competent member of the Order, causing every interrogatory to be propounded to the witness and the answers to each reduced to writing in the presence of the witness, and when the deposition is completed shall cause the witness to sign the same, and then the Noble Grand or persons taking the same shall certify the same to be duly taken, and such certificate shall be verified by the seal of the Lodge. The deposition shall then be sealed in an envelope and transmitted by mail to the Lodge before which the trial is pending.

4656. Depositions thus taken and certified may be read in evidence in the cause to which they relate.

4657. The testimony of non-resident witnesses may be taken in the same manner as for absent witnesses.

4658. When a witness is not an Odd Fellow the following form of notice to appear before the Trial Committee can be used.

. Lodge, No. ..., I. O. O. F.,
. , 19...

To

Dear Sir:

A charge of misconduct has been preferred against Brother , a member of our Lodge, and it has been suggested that your testimony will be important in the disposition thereof. The Trial Committee therefore respectfully requests that you will meet them at [here state time and place of meeting] to give your evidence, or if inconvenient for you to do so, that you will agree with the committee and the accused upon some other time and place.

Yours truly,

. ,
Chairman of Trial Committee.

Attest:
. , Secretary.

(The attendance of a person who is not a member of the Order, as a witness, must be procured by the party who desires his evidence. There is no law whereby persons not belonging to the Order can be compelled to give testimony before a Trial Committee.)

WORK.

(a). General Principles. (b). Devices. (c). Instruction.

See Ritual.

(a). General Principles.

4659 A Subordinate Lodge cannot decide any question relating to the work of the Order. The work emanates from the Sovereign Grand Lodge of the I. O. O. F., and is conveyed by the Grand Representatives to the Grand Lodge of Pennsylvania, where it is imparted to the Representatives of the Subordinate Lodges, who instruct the Subordinate Lodges. In the absence of an elective officer of the Grand Lodge, or of the District Deputy Grand Master, the instructions of the Representative must be conformed to by the Lodge.

4660. To the Sovereign Grand Lodge belongs the power to regulate and control the Unwritten Work of the Order, and to fix and determine the customs and usages in regard to all things which appertain thereto. And to it alone belongs the power to provide and establish suitable lectures and other written work therefor.

4661. Any member of the Independent Order of Odd Fellows who shall compose, or write, or print, or sell, or exhibit, or use, or have in his possession, and who shall in any way aid or abet in composing, or writing, or printing, or exhibiting, or using any publication, or writing, or other devices, purporting to be the Unwritten Work of Odd Fellowship, or any part, abbreviation or memorandum of such Unwritten Work, shall be deemed guilty of conduct grossly unbecoming an Odd Fellow, and shall, upon conviction, be expelled from the Order.

4662. A Subordinate Lodge has the legal right to require proficiency in the Unwritten Work of the last degree taken, as a condition precedent to a candidate advancing to the next higher degree.

4663. Lodges cannot use any forms or ceremonies other than those now in use and prescribed by the Sovereign Grand Lodge of the I. O. O. F. Lodges deviating from the prescribed form are amenable to the Grand Lodge.

4664. The rehearsal, in any of the halls or Lodge rooms of the Order, of any work which is not the present recognized work in use, and prescribed as such by the Sovereign Grand Lodge of the I. O. O. F., is clearly against all propriety and highly censurable, improper and irregular.

4665. No officer of the Order is authorized to give the secret work to a person holding a Dismissal Certificate.

4666. The question of dispensing with the use of books in the work of the Order is a subject for legislation of Grand Bodies.

4667. The question whether the obligations should be memorized or read from the ritual should, in the absence of local legislation, be left to the Subordinate Lodges as the best judges of the manner by which their offices can most impressively render the work.

4668. The Written Work is that furnished to Grand and Subordinate Lodges and Encampments; the Unwritten Work is found in the secret journal and diagrams in possession of the Sovereign Grand Lodge, and can only be communicated orally.

4669. It is not permissible for a Lodge to present in public or in private a burlesque of any of the ceremonies of the Order, or to give in public any dramatic representation claiming to be in any way connected with our ritual.

WORK.

(b). Devices.

4670. Any member of the Order who shall introduce, sell or offer to introduce or sell to any Subordinate Lodge, Rebekah Lodge, Encampment or Canton of Patriarch Militant, any device which in its character is calculated to make ridiculous the sublime lesson taught by the several degrees of the Order, shall be guilty of an offence against the Order, and on conviction thereof, shall be expelled. It shall be the duty of, and obligatory on each State, Territorial and District Grand Lodge, Rebekah Assembly, Grand Encampment and Department Council of Patriarch Militant to enact such laws as will enforce a strict compliance on the part of Lodges, Encampments and Cantons subordinate thereto, respectively, with the provisions and spirit of the foregoing resolution.

4671. There is no law, ritualistic or otherwise, authorizing the use of firearms or appliances of that nature in a Lodge.

(c). Instruction.

4672. It is the duty of the Grand Representatives on their return to this Jurisdiction to instruct the Grand Lodge in the Work of the Order.

4673. There shall be a Lodge of Instruction on the Wednesday evening of each Annual Session of the Grand Lodge.

4674. It is the duty of the Grand Master to require of the Lodges, as well as of members, a strict compliance with the instruction received by him from the Grand Representatives.

4675. Where, during the recess of the Grand Lodge, there is a difference of instruction between that given by a Grand Representative and that given by the Grand Master, the instructions of the latter as the supreme authority in the Jurisdiction are to be followed.

4676. Special Sessions may be held as often as may be necessary to give instruction in the Unwritten Work of the Order, and to confer the Past Official and Grand Lodge Degrees.

4677. The Grand Lodge is permitted to exemplify the degrees in the presence of all duly qualified members in good standing, and for that purpose to admit them to the floor of the Grand Lodge.

REBEKAH.

The written Laws of the Rebekah Branch consist of—

(a). The Rebekah Code which was amended and reenacted by the Sovereign Grand Lodge in 1903.
(b). The Constitution for the Rebekah Assembly and
(c). The Constitution for Subordinate Rebekah Lodges both of which were passed upon by the Rebekah Assembly in its Annual Session of 1904, and the Amendments approved by the Grand Lodge in 1906.

ABSENCE—FLOOR WORK.

6000. The Noble Grand of a Rebekah Lodge can, in case of the absence of any of the regular officers, and before assuming the chair or clothing herself in appropriate regalia, request members present to take the places of such absent officers to aid in the introduction of a little floor work at the entrance of the officers in a body to assume their stations before the Lodge is called to order for the opening ceremony; provided, that if the officer arrives before the procession enters she cannot be excluded from the same, or if the procession has entered and reached the chairs, an officer then arriving cannot be displaced in her proper chair by such invited substitute.

ANNIVERSARY.

6001. The 20th day of September is to be recognized as the anniversary of the institution of the Rebekah Degree, and it is to be annually celebrated and commemorated as such by proper and appropriate ceremonies.

APPEALS.

6002. An appeal from a Rebekah Lodge should first go to the Grand Lodge of the Jurisdiction.

6003. A Rebekah Lodge cannot appeal to the Sovereign Grand Lodge direct from the decision of a Grand Master, but must first appeal to the Grand Lodge of the Jurisdiction. Its belief that the Grand Master is prejudiced against it, and that it cannot obtain a fair hearing from the Grand Lodge over which he presides, does not excuse it from appealing in the first instance and in conformity with the laws of the Jurisdiction to the Grand Lodge. If dissatisfied with the action, an appeal can then be made to the Sovereign Body.

APPLICATION FOR MEMBERSHIP.

6004. If there is no local law of a jurisdiction governing the matter then under the General Law it would require a dispensation from the Grand Master in order to elect an applicant at the same meeting the application was received. But in any event the application must be referred to a Committee at a previous meeting, or at same meeting with a Dispensation, and a report made.

6005. Applications for membership cannot be received at special sessions of a Rebekah Lodge.

6006. An Official Certificate is a sufficient guarantee of good standing to accompany a petition for membership in a Rebekah Lodge in another Jurisdiction.

APPLICATION FOR MEMBERSHIP.

6007. When the wife of a member of a Subordinate Lodge applies for membership in a Rebekah Lodge, she should furnish a certificate showing that her husband is in good standing in his Subordinate Lodge.

6008. Rejected applicants for membership cannot apply again under six months.

6009. Section 24 of the Rebekah Code does not prevent a brother, who has asked to be reinstated in his Rebekah Lodge and been refused, and who has demanded and received a Dismissal Certificate and paid the price required by Section 26, from applying upon that certificate to another Rebekah Lodge for membership immediately. He need not wait six months.

ARREARS.

6010. A clause in a Rebekah Constitution that a member who is in arrears for more than three months shall not be entitled to receive the semi-annual Pass Word, nor be privileged to vote upon any question before the Lodge, nor at the election for officers, does not violate any law of the Sovereign Grand Lodge.

ASSEMBLY.

(a). Powers of. (b). Membership.

(a). Powers of.

6011. By universal usage and the common law of all legislative bodies no newly elected representative to the Assembly has any right as such until her credentials have been properly passed upon by the body to which she has been elected.

6012. A Grand Lodge cannot authorize the existence of any other Rebekah Grand Body than an Assembly.

6013. A Grand Lodge has the power to grant the Rebekah Assembly the right to make a law that an appeal from a Rebekah Lodge shall be made to the Rebekah Assembly, provided that appeals from the decision or action of a Rebekah Assembly shall be made to the Grand Lodge.

6014. A Grand Lodge can delegate to the President of the Rebekah Assembly the power, *ad interim* to answer questions of Rebekah law (without the approval of the Grand Master) and answer all questions of law and usage arising in Rebekah Lodges and to stand as law until received and passed upon by the Judiciary Committee at the succeeding Grand Lodge.

6015. The creating of Rebekah Assemblies and formulating laws for them, clearly indicates that the design of the Sovereign Grand Lodge was to allow them full power to govern Subordinate Rebekah Lodges, if the Grand Lodges of the several Jurisdictions chose to clothe them with such power.

6016. In a Jurisdiction where a Rebekah Assembly is instituted, all Rebekah Lodges therein are controlled by the same to the extent that power is delegated to the Assembly by the Grand Lodge.

6017. Rebekah Assemblies subject to General Law and by concurrence of the Grand Lodge, control their legislative, judicial or executive departments.

6018. In 1895 the Sovereign Grand Lodge said: A Grand Lodge cannot delegate the entire Rebekah Branch to the control of Rebekah Assemblies, but the tendency of later legislation has been to greatly increase the possible powers of the Rebekah Assembly.

6019. The Rebekah Lodges were not cut off from the Grand Lodge in 1903. The action of the Grand Lodge at that session of the Grand Lodge, gave more power to the Assembly, such as the President will appoint the Deputies and formulate the Pass Words; all Per Capita Tax will be sent to the Secretary of the Assembly instead of the Grand Secretary, otherwise the conditions are the same.

ASSEMBLY.

(b). Membership.

6020. Only such members have a right to legislate or serve on a Committee, or vote for Assembly officers as have been duly authorized by the Rebekah Assembly, provided that the action of the Assembly giving such authority has been approved by the Grand Lodge to which the Assembly is subordinate. The Code provides the general qualifications for membership in Rebekah Assemblies, but relegates all matters of construction to the Grand Lodges, who are privileged to confer as much thereof as they deem best upon their respective Assemblies.

6021. All Past Noble Grands, all Past Grands of Subordinate Lodges in good standing in Rebekah Lodges, and all who have heretofore received the Assembly Degree are members whether Delegates or not and on presenting themselves, with satisfactory proof of qualification, must be admitted to the Rebekah Assembly.

6022. Section 33 of the Rebekah Code, as amended at the recent session of the Sovereign Grand Lodge, reads as follows: "Sec. 33. The membership of Rebekah Assemblies shall be limited to Past Noble Grands of Rebekah Lodges and Past Grands of Subordinate Lodges, who are members in good standing of Rebekah Lodges, and those who have heretofore received the Assembly Degree. Under said section it is imperative that Past Noble Grands of Rebekah Lodges and Past Grands of Subordinate Lodges shall be members of a Rebekah Lodge subordinate to the Grand Lodge of the Jurisdiction in which the Rebekah Assembly is located.

6023. Under Section 33, Rebekah Code, as amended by the Sovereign Grand Lodge, the membership of the Rebekah Assembly in this Jurisdiction includes many who are neither Past Noble Grands or Past Grands. The Rebekah Assembly, with the approval of the Grand Lodge, may legally adopt a law which provides that none but Past Noble Grands and Past Grands shall take part in its deliberations, vote upon any question or hold office.

6024. All members in good standing in a Rebekah Lodge are not privileged to attend the Rebekah Assembly and to receive the Assembly Degree, but only such as are specified in Section No. 33 of the Code.

6025. Only those members in good standing in a Rebekah Lodge specified in Section 33 of the Rebekah Code may attend a Rebekah Assembly or receive the Degree.

ATTENTIVE BENEFITS.

6026. A Rebekah Lodge can make provision for a nurse fund for sisters only.

6027. Rebekah Lodges are now charged with the duty of rendering "attentive benefits" the same as Subordinate Lodges. But the legislation of the Sovereign Grand Lodge which provides "that Grand Bodies may limit or permit their subordinates to limit by By Law the time for which attentive benefits may be rendered and to provide that watchers and nurses paid from Lodge funds shall not be furnished to members who shall be so much in arrears for dues as to prevent them from receiving sick or funeral benefits," does not apply to Rebekah Lodges, although the words "in this order" would so imply, the fact remains that there are no "qualifications" for Weekly Benefits in Rebekah Lodges. The Sovereign Grand Lodge has provided that only the sisters in Rebekah Lodges shall perform the services of watching with the sick; and for requiring only sisters to watch with sick sisters; leaving the watching for, and by, brothers to Subordinate Lodges. Rebekah Lodges do not under the law pay weekly benefits as such, and the Sovereign Grand Lodge has repeatedly refused to confer that power on Rebekah Lodges. The action of the Sovereign Grand Lodge relating to attentive benefits was intended to apply only to organizations of the Order paying weekly benefits, therefore, said law does not apply to Rebekah Lodges.

ATTENTIVE BENEFITS.

6028. It is competent for a Grand Lodge to adopt the following resolution: "Resolved, That hereafter the services of a watcher or nurse furnished to a disabled member of any Rebekah Lodge in this Jurisdiction shall be limited to a period of four weeks in any one disability, or such less time as said services may be needed."

6029. A Rebekah Lodge can legally provide, by proper By Laws for hiring a night watcher or nurse, for a sick sister member of the Lodge, paying for the same out of the General Fund of the Lodge, if authorized or approved by the Grand Lodge to which the Rebekah Lodge is subordinate.

6030. Under Section 36, of the Rebekah Code any Grand Body having jurisdiction may provide for requiring only the sisters in Rebekah Lodges to perform the service of watching with the sick and may require only the sisters to watch with sick sisters leaving the watching for and by brothers to the Subordinate Lodges. Under such provisions in the Constitution for the Subordinate Rebekah Lodge an assessment cannot be levied upon brothers of a Rebekah Lodge for nursing sick or disabled sisters, but such assessment may be levied and collected from sisters for such purpose. Under said provisions in the Constitution a Rebekah Lodge may provide for employment of nurses to watch with sick sisters by levying an assessment of a fixed sum therefor, or by detailing sisters for watch service. Under Section 14, of the Rebekah Code of 1900 this regulation seems to be within the power of the Grand Lodge having jurisdiction. Attentive benefits is one of the declared objects and purposes of Rebekah Lodges. See 1st paragraph, Rebekah Code of 1900, under the head of "Objects and Purposes." Rebekah Lodges, however, are not authorized to pay sick benefits or funeral benefits or expenses as such, but in proper cases this may be done as a charitable donation.

BADGE-EMBLEMS.

6031. The law permits a sister of the Rebekah Degree to wear the three links.

BALLOT.

6032. A member of a Rebekah Lodge cannot vote upon an application for membership unless clothed in appropriate regalia.

6033. The Grand Lodge may require a larger, but not a smaller number than three black balls to reject an applicant for membership or reinstatement in a Rebekah Lodge.

6034. The former Rebekah law predicated membership upon a majority vote. The present law predicates it upon the number of black balls cast. If three appear the candidate is rejected though any number of white balls should be cast. Any law that now predicates membership upon a majority vote is null and void.

6035. The question was asked, does the decision approved by the Sovereign Grand Lodge at its session in 1903, to the effect that "while the law does not require that the ballot box shall be passed to the Noble Grand and Vice Grand when balloting for candidates, it is permissible to do so if the Lodge desires, but that it cannot be passed to any other officers, except to the Noble Grand and Vice Grand in their official positions," apply to Rebekah Lodges as well as to Subordinate Lodges. To which it was answered that the decision set out above was rendered with reference to a Subordinate Lodge, but by analogy the same should and does apply to Rebekah Lodges.

6036. A Lodge elected a candidate to membership. Afterwards they became satisfied that she was not a proper person to become a member of a Rebekah Lodge. Under these circumstances the Lodge may annul the election and declare it void by a majority of two-thirds of the members present.

6037. A ball ballot having been taken the Vice Grand and Noble Grand declared their decision. Members of the Lodge, doubted the decis-

ion and wished to appeal. An appeal cannot legally be taken from the decision of the Vice Grand and Noble Grand on ball ballot, the Vice Grand and Noble Grand agreeing in their decision. The Noble Grand and Vice Grand are the only ones who examine the ballot and there is no appeal from their decision.

6038. A Rebekah Lodge can legally reject the application of a brother who is in good standing in his Subordinate Lodge. The Lodge has the right to refuse to admit any applicant by a secret ballot.

6039. A Noble Grand of a Rebekah Lodge cannot legally call a special meeting for the purpose of balloting for a candidate. The law provides that balloting for candidates must be at a regular stated meeting.

BENEFITS.

6040. The new Rebekah Code does not authorize Rebekah Lodges to pay sick and funeral benefits.

BRANCH OF THE ORDER.

6041. A Rebekah Lodge represents a branch of the Order entirely independent and distinct.

BY LAWS.

6042. A Grand Lodge cannot empower a Committee of the Assembly to determine and give effect to By Laws of Rebekah Lodges. Such laws must be approved by the Assembly.

6043. A Grand Lodge can delegate to the President of the Rebekah Assembly the power, *ad interim*, to approve the By Laws of Rebekah Lodges.

CHARGES AND TRIAL.

6044. A sister may prefer charges against a brother of a Subordinate Lodge in her Rebekah Lodge.

6045. A sister is on trial; her husband appears for her, but walks out in indignation, leaving her without a Representative, as she is not present. She is found guilty, appeals to the Grand Lodge, which reverses the decision of the Lodge. She can now be tried on the original charges.

6046. A brother under charges for the same offense in both his Subordinate and Rebekah Lodge should be tried in each.

6047. If charges are preferred against the Noble Grand of a Rebekah Lodge, the Vice Grand shall appoint the Committee and shall preside while any question arising from the charges shall be under consideration.

6048. The mode of procedure for the trial of charges is governed and controlled entirely by local law.

6049. Although charges are pending against a Noble Grand at the end of the term when she goes out of office, she is entitled to her Past Noble Grand's certificate.

CHARTER.

6050. The respective Grand Lodges in Jurisdictions where Rebekah Assemblies are, or may be, organized are authorized to enact such legislation as will allow the Presidents of such Assemblies to receive petitions for dispensations and charters for the institution of Subordinate Rebekah Lodges and grant same and institute new Rebekah Lodges, subject to the approval of their Grand Lodges and under such regulations as may be prescribed by such Grand Lodge.

CHARTER.

6051. The President and Secretary of Rebekah Assemblies are not required to sign the charters for Rebekah Lodges, nor has the Grand Lodge of the Jurisdiction the right to so require, unless the Charters are issued by the Assembly.

6052. The Grand Lodge may require that the number of applicants for a Charter for a Rebekah Lodge shall exceed five.

6053. The Constitution of a Grand Lodge contains the following provision: "Charters for Subordinate Lodges shall be granted only at annual sessions of the Grand Lodge, provided, however, that the Grand Master may, during the recess of the Grand Lodge, issue a dispensation for instituting a new Lodge where the petition for the same has been submitted to a Committee of the District in which the Lodge is to be located, and approved by it, etc. This section, so far as its relation to the dispensation of the Grand Master does not apply to Rebekah Lodges, unless there is some other provision in the Constitution of the Grand Lodge, which would indicate an intention that the section should apply to Rebekah Lodges.

CODE.

6054. The Rebekah Code of 1900, is not affected by decisions rendered prior to its enactment.

6055. The Rebekah Code was amended by adding thereto a new section, to be numbered 13½,—to read as follows:

Section 13½—"The funds of Rebekah Lodges shall be under the immediate control of, and subject to such laws and regulations as are enacted by the Grand Body to which the Rebekah Lodges may be subordinate." And be it further

Resolved, That Section 18 of Rebekah Code be amended by adding thereto the following: "Subject to such laws and regulations governing the disbursements of funds enacted by the Grand Body to which the Rebekah Lodges may be subordinate," making Section 18, when amended, read:

Section 18.—"To pay and disburse the funds of the Lodge as a majority of the members present shall, by vote, determine for any of the declared purposes of this degree, as set forth in subdivisions first, second and third, under the head of "Objects and Purposes," subject to such laws and regulations governing the disbursement of funds enacted by the Grand Body to which the Rebekah Lodges may be subordinate." Provided, however, that no Rebekah Lodge shall be allowed to pay sick or funeral benefits.

6056. The Rebekah Code contains only general laws and regulations for Rebekah Lodges and specifically recognizes in Section 14 "the rules, usages, and general regulations of the Order applicable thereto, and provisions of Constitutional and other laws enacted for their government by the Grand Body to which they are subordinate."

6057. That a Constitution and By Laws are contemplated to be provided by the Grand Lodge will clearly appear from sections 16, 17 and 19 of the Code.

6058. The Rebekah Code, being in the list of supplies published by the Sovereign Grand Lodge, it is not permissible for a Grand Officer to publish it with other laws of the Jurisdiction.

COMMITTEE.

6059. When there is a majority and a minority report submitted by a Trial Committee, both reports should be read to the Lodge.

CONDUCTOR.

6060. The conductor of a Rebekah Lodge cannot be deprived of the right to hold that position in the team by the Noble Grand or captain of the team.

6061. By direction of the Noble Grand, the conductor may assist the warden in taking up the Pass Word.

CONSOLIDATION OF LODGES.

6062. No special law has been enacted providing for consolidation of Rebekah Lodges, and in the absence of such legislation, so long as the number of members desiring to retain the charter of such Lodge is equal to that prescribed by the law as the minimum number of petitioners to whom a charter can be given, such charter cannot be revoked by the majority, nor such Lodge forced to consolidate with another Lodge.

COSTUMES.

6063. It is not legal for the Degree Team of a Rebekah Lodge to appear in costumes at a public entertainment.

6064. There is nothing prohibiting additional robes to those prescribed in the Ritual, but others cannot be substituted in place of those prescribed.

6065. The costumes used in conferring the Rebekah Degree form part of the paraphernalia belonging to the secret work and it is improper to make a public display of them. It is a violation of law to have a photograph taken of a Degree Staff in paraphernalia, even if such pictures are to be hung in the Lodge room and none are sold or offered for sale.

DEGREES.

(a). Rebekah Degree. (b). Assembly Degree.

(a). Rebekah Degree.

6066. The Rebekah Degree is now recognized as a regular degree, to be conferred in a regularly chartered Rebekah Lodge, and is now in the same position as the other degrees of the Order, which cannot be revoked by a mere majority of the Sovereign Grand Lodge.

6067. In initiating, the Noble Grand may call upon any one qualified to give the unwritten work, but it must be under the Noble Grand's authority and control.

6068. It is a violation of law to initiate in a Rebekah Lodge persons known to be residents of a Jurisdiction other than the one where they are initiated.

6069. A person elected to membership in a Rebekah Lodge must have the Degree conferred upon him in the Lodge in which he was elected. The right and duty of conferring this Degree, which is equivalent to initiation, cannot be transferred to another and different Lodge. One Rebekah Lodge cannot authorize another to confer the Degree upon a person elected to membership in the first named Lodge.

(b). Assembly Degree.

6070. The President of the Rebekah Assembly is authorized to confer the Rebekah Degree or cause the same to be done in the Assembly upon sisters and brothers who are eligible to membership in said Rebekah Assemblies.

6071. The Rebekah Assembly Degree adopted in 1895 is not for Past Noble Grands. It can be conferred only on those entitled to admission to a Rebekah Assembly at Assembly meetings.

6072. The Grand Lodge has the right to so legislate as to confer the Assembly Degree on Past Grands who are members of Rebekah Lodges, but who are not Past Noble Grands.

6073. The Rebekah Assembly Degree is open to the Grand Master and Grand Representatives of their Jurisdiction for official visitations.

DEGREE STAFF OR TEAM.

6074. The officers of the Lodge have a right to their respective positions upon the staff in the regular Lodge work, and cannot be deprived of that right except by their consent.

6075. The Degree Staff of a Rebekah Lodge cannot lawfully write off for commitment certain parts of the Ritual of the Rebekah Lodge. It is against the law to write or print any part of the Ritual.

DELEGATES.

See Assembly.

6076. A Subordinate Grand Lodge has the right to authorize representation of Rebekah Lodges in the Rebekah Assembly by Past Grands of Subordinate Lodges who are members of Rebekah Lodges in good standing, as well as by Past Noble Grands of Rebekah Lodges. In case such authority is given, a Rebekah Lodge having in its membership a Past Grand need not go without representation until it has a Past Noble Grand. In all cases a representative from a Rebekah Lodge to a Rebekah Assembly must possess the qualifications required by the law of the Jurisdiction. If the Lodge has not among its members in good standing such qualified members, it may elect as its representative a member of another Rebekah Lodge who does possess the requisite qualifications, if the local law so provides.

6077. A Rebekah Assembly may, with the approval of the Grand Lodge, adopt a law providing that only Past Noble Grands and Past Grands shall participate in its deliberations, vote upon any question or hold office.

6078. Rebekah Assemblies cannot admit Delegates to seats therein who do not possess the qualifications designated for membership therein by the charter of the Assembly and the laws of the Sovereign Grand Lodge.

DEPUTY PRESIDENT.

6079. In all Jurisdictions of this Sovereign Grand Lodge where Rebekah Assemblies are organized, Grand Lodges are permitted to authorize and empower the Presidents of such Assemblies to appoint and commission Deputy Presidents for Rebekah Lodges in their respective Jurisdictions, having the corresponding powers and privileges of Presidents of the Rebekah Assemblies in the same manner as possessed by District Deputy Grand Masters in Subordinate Lodges. Provided, that in Jurisdictions where no Rebekah Assemblies exist the title of such officers shall be District Deputy Grand Master, otherwise to be known and hailed as "Deputy Presidents."

6080. The title of the Deputy appointed by a President of a Rebekah Assembly was formerly "District Deputy President."

6081. A Grand Master's Deputy for Rebekah Lodges, if a Past Grand and a member of a Rebekah Lodge in good standing, need not be a Past Noble Grand.

6082. It is legal for Rebekah Assemblies to provide that in the absence of the Presidents they (the Deputy Presidents) shall at Constitutional periods install officers of Rebekah Lodges who are properly qualified by previous service in office and having committed their charge of office to memory and to communicate the annual or semi-annual Pass Words to the Noble and Vice Grands they having fully exemplified the unwritten work of the Rebekah Degree in open Lodge.

6083. A Deputy President cannot also and at the same time be Noble Grand or Vice Grand of a Rebekah Lodge. There is some apparent conflict between the several statements of the law but the later decision must control as it embodies later and definite legislation upon the subject. See the report of the Committee in the Sovereign Grand Lodge Journal of 1890, middle of the page, 12,177. This report was adopted as shown on page 12,274. This related to a Subordinate Lodge but the principle applies to Rebekah Lodges.

DISMISSAL CERTIFICATE.

6084. A member in a Rebekah Lodge suspended for the non-payment of dues has the right to demand a Dismissal Certificate on the payment of one dollar without first applying for reinstatement.

6085. In a Rebekah Lodge no ballot is required in granting a Dismissal Certificate.

6086. Dismissal Certificates for members of Rebekah Lodges are printed and sold at same price as other Dismissal Certificates.

DISPENSATIONS.

6087. If the power has been delegated by the Grand Lodge of the Jurisdiction, the President of the Rebekah Assembly can, *ad interim*, grant dispensations to Rebekah Lodges without the approval of the Grand Master.

6088. A Deputy President of a Rebekah Lodge cannot grant a dispensation to receive the application of, ballot upon, and initiate a candidate on one and the same meeting night of the Lodge, unless this power is given by local legislation.

DONATIONS.

6089. A Rebekah Lodge cannot from its Lodge funds make a donation to a Christian Endeavor Society.

6090. The adoption of the new Rebekah Code does not authorize Rebekah Lodges to pay sick and funeral benefits. Under Section 18 of the Code, if a majority of members present should so vote, they might possibly have the right to occasionally make donations on charitable and benevolent grounds to their members or any other proper object within the scope of the purpose of the Degree.

DUAL OFFICE HOLDING.

6091. The officers of a Rebekah Assembly, such as President, Vice-President, Treasurer and Secretary have the right to hold office in the Rebekah Lodge in which they severally hold membership.

6092. The Vice Grand cannot legally fill her office and the office of Treasurer at the same time. An elective officer cannot hold two elective offices at the same time.

ELECTIONS.

6093. In the case of a tie on election of officers in a Rebekah Lodge, there is no deciding vote. In case the election of officers is a tie vote, the Noble Grand orders another vote taken.

6094. The Noble Grand of a Rebekah Lodge can vote at the election of officers.

6095. The right of a Past Grand who has also served a term as Noble Grand of a Rebekah Lodge to vote for officers in the Assembly is not an inherent right growing out of the usage and custom of the Order, as in a Subordinate Lodge, but if the right exists at all, it depends entirely upon the legislation of the Assembly as approved and permitted by the Grand Lodge.

6096. The Constitution of a Rebekah Lodge provided that to elect to the office of Vice Grand requires a majority of all votes cast. At an election there were cast 22 votes. Of these 12 were cast for A., who was not eligible, and 10 for B., who was eligible. Neither was elected. A., because she was not eligible; B., because she did not receive a majority of the votes cast. Votes cast for an ineligible candidate are as much to be counted in measuring the total vote as blank ballots would be.

ELECTIONS.

6097. By the Rebekah Code no one shall be permitted or entitled to take part in the legislative work of the Assembly or vote for officers thereof excepting those designated in the Constitution of such Assembly. By the Constitution of the Rebekah Assembly of Pennsylvania, no one shall be permitted to take part in the legislative business of the Rebekah Assembly, except the elective officers, past elective officers and duly elected delegates to the Rebekah Assembly.

6098. A Rebekah Assembly may lawfully limit or restrict the right to vote for officers of the Assembly, to legislative members; *i. e.*, a Past Noble Grand, a member in good standing in a Rebekah Lodge, and being present in the session of the Assembly, may be deprived of the right to vote for Assembly officers by a Constitutional provision limiting the right to vote to Representatives or by the absence of any constitutional provision granting her such privilege.

ELIGIBILITY TO OFFICE.

6099. A member who has served in an elective office, but never in an appointive office, is eligible to elective offices under Section 12 of the Rebekah Code.

6100. In the absence of any prohibition by local law, a sister, member in good standing of a Rebekah Lodge, may be elected to, and installed into office, in the Rebekah Assembly of the State in which the Lodge to which she belongs is located, even though she does not then reside in such State.

6101. The usage and custom of the Order does not confer upon a Past Grand who also served a term as Noble Grand of a Rebekah Lodge the right to hold office in a Rebekah Assembly. This right, if it exists at all, depends entirely upon the legislation of the Assembly as approved and permitted by the Grand Lodge.

6102. A sister filling an appointed office, but not serving a majority of the nights and to the end of the term after having been regularly installed therein would not be eligible as Vice Grand.

6103. A Rebekah Lodge cannot lawfully make a rule that a sister must fill the office of Recording Secretary before she is eligible for the Vice Grand's Chair. A sister filling any subordinate office is eligible to the office of Vice Grand if she serve a majority of the nights and until the end of the term.

6104. The last six words "but all officers shall be women" in Section 1 Article 12 of Constitution of Rebekah Lodges is contrary to the provisions of the Rebekah Code and therefore illegal.

EXPELLED MEMBERS.

6105. If such powers have been conferred upon Rebekah Assemblies by the Grand Lodge it may have the right to authorize and empower the President of such Assembly to restore expelled members of Subordinate Rebekah Lodges, but without such direct authority from the Assembly, no matter how undoubted may be the power of the Assembly to act in such matters the President cannot grant such authority, no more than a Grand Master could in the absence of authority of his Grand Lodge.

FUNDS.

6106. The Grand Lodge may authorize Rebekah Lodges to set aside 5 per cent of their receipts for dues for a contingent fund.

6107. While Rebekah Lodges do not pay stated benefits, and the authority to do so has frequently been denied by the Sovereign Grand Lodge, the funds of Rebekah Lodges are nevertheless trust funds for the relief of distress and the kindred purposes mentioned in the Rebekah Code, and it would

FUNDS.

not be proper or lawful for Rebekah Lodges to vote money from its general funds to purchase flowers for the sick or dead, or for refreshments when entertaining other Lodges, or at installation. Section 18, of the new Rebekah Code is in substance the same as Section 18, of the Rebekah Code of 1894, as to the purposes for which expenditures can be made. Section 18, of the Code of 1894, refers to disbursements from the funds "for any of the declared purposes of this Degree," and while it does not there enumerate the purposes, these purposes are clearly set forth just preceding the first Section of the Code, and the purposes are, in substance, the same as in the Code of 1900. Section 18, of the Code of 1900, in referring to such disbursements enumerates the purposes set forth in the Code, which does not change the substance of this Section 18 from that of the former Code. While therefore the Code of 1894 was of force, under it, Decision No. 54, of the Grand Sire at the Session of 1897 (see Journal of Sovereign Grand Lodge, page 15,171), held Subordinate Jurisdictions could authorize Rebekah Lodges to set aside five per cent. of the receipts for dues for contingent fund, and this Decision was adopted, and this clearly implied that the same rule as to Lodge funds being trust funds applied to Rebekah Lodges, and that the latter were entitled to have the same authority from Subordinate Grand Jurisdictions authorizing the setting aside of five per cent. of receipts for dues for contingent fund from which certain expenditures could be made which would not be authorized from the general fund. If, therefore, the Constitution of the Rebekah Assembly or legislation of the Grand Lodge so authorizes, this five per cent. contingent fund can be provided, out of which proper expenditures can lawfully be made.

FRATERNAL PAPER.

6108. The Grand Lodge is invested with the power to authorize Rebekah Lodges under its Jurisdiction to make appropriations from their general funds for the purpose of subscribing for a paper or journal devoted exclusively to Odd Fellowship for each of its members.

FUNERAL BENEFITS.

6109. It is not permissible for a Rebekah Lodge to levy assessments to be charged and collected as dues, which assessment is for funeral purposes and is provided for as funeral dues. The Lodge may raise its annual dues to such sum as it may deem proper, and can then make donations when needed, but not by specific levy.

GENERAL LAW.

6110. If the Rebekah Code is silent on any point, the general law governs.

"GRAND."

6111. At the session of the Sovereign Grand Lodge of 1903, the following was adopted: "That the title 'Grand' be abolished in all Subordinate Lodges of Rebekahs as a prefix to official title." As the language in this resolution is ambiguous an interpretation thereof was asked for, which resulted as follows:—There is nothing in Rebekah Lodges to which said resolution could relate or apply, unless it was intended to eliminate the word "Grand" where it occurs after "Noble" in Noble Grand; after "Vice" in Vice Grand, and after "Past Noble" in Past Noble Grand. If it was intended to apply to said official titles or designations, then by inadvertence or oversight the word "prefix" was used when "subfix" should have been employed, as "Grand" in the instances named occurs after "Noble" and "Past Noble." The resolution set forth is void and of no effect.

GRAND MASTER.

6112. The Grand Master can of right officially visit the Rebekah Assembly of this Jurisdiction.

6113. The Rebekah Lodges and Rebekah Assembly are subordinate to the Grand Lodge, and in the interim of its sessions the Constitution vests a suspending power in the Grand Master, which cannot be taken away from him.

GRAND REPRESENTATIVE.

6114. Should a Grand Representative be elected by his Lodge as a Representative to the Assembly, he should take the obligation of the Assembly Degree before entering upon his duties as a member.

GRAND SECRETARY.

6115. The Grand Secretary, simply by virtue of his office as such, has not the right to visit and take part in the Rebekah Assembly.

GRAND WARDEN.

6116. A Grand Warden who is not a member of a Rebekah Lodge, has no right to the Rebekah Ritual.

HONORS OF OFFICE.

6117. Officers of a Rebekah Lodge must serve a majority of the meetings held in the term and to the end of the term in order to be entitled to the honors of the office. Officers elected to fill vacancies, and serving to the end of the term, shall be entitled to the honors of the office.

HONORS OF THE DEGREE.

6118. The honors of the Rebekah Branch of the Order are to be given both to officers of the Assembly and officers of the Grand Lodge when visiting officially and when so announced. If an officer of the Assembly or Grand Lodge should not be visiting officially they should not so announce.

6119. The honors of the Rebekah Degree are given to officers of the Assembly and Grand Lodge when visiting officially and announcing as such and this includes officers conducting installation.

6120. The law providing for the honors of the Order, for elective and past elective officers of Rebekah Assembly, contemplates that these honors shall be paid to elective and past elective officers of a Rebekah Assembly when visiting a Rebekah Lodge outside of their own Jurisdiction, provided the visit is on official business, or in an official capacity.

6121. When District Deputy Grand Masters or Deputy Presidents visit Rebekah Lodges for the purpose of installing officers-elect, or upon other official duty, they, as the Representatives of the Grand Master or President of the Rebekah Assembly shall be accorded the same honors as are given to those officers. All provisions or decisions inconsistent herewith are repealed.

6122. A Rebekah Lodge, desiring to perfect themselves in giving the H. of the D., gives it immediately after a new member is introduced to the Lodge, both for instruction to the new member, and for practice, not as an honor due the new member, but so as to have a systematic practice. The above exercise is allowable, with the understanding that it is not given to the new member as an honor, but for instruction and practice.

IMPROPER ADMISSION.

6123. A sister admitted to membership by error on the part of the Lodge, or innocently on her own part, should not be required to resign her membership nor be expelled.

6124. A lady, desiring admission into a Rebekah Lodge, presents herself with a number of others in the ante-room of the Lodge. She, with others, was then admitted and initiated. Subsequent to the initiation it was discovered that no application from this lady had been filed with the Lodge, no committee appointed to investigate, and no ballot had ever been taken upon her admission. It was held that one admitted to membership under such conditions must, after her initiation, be deemed a member of the Lodge to the same extent as if legally initiated. If the error was on the part of the Lodge, the Lodge cannot take advantage of its own wrong. If the individual has been guilty of fraud in obtaining admission, she becomes liable to charges and to punishment for such fraud, but having been admitted to the Lodge and recognized as a member, she must continue to be deemed such until her membership is terminated in a manner provided by law.

INSTALLATION.

6125. An officer installed by others than Past Noble Grands incurs no penalty. The responsibility is upon the installing officer who violates the law.

6126. A new Lodge at installation has but one available Past Noble Grand, and she installed the officers in a creditable manner. This was legal if the sister was directed by the Deputy President to perform the work.

6127. The Deputy President should install the officers of the Lodge, although the Noble Grand elect is absent. She should install the officers elective and appointive and appoint a Past Noble Grand to install the Noble Grand at the first meeting at which she is present.

INSTITUTION OF NEW LODGE.

6128. The instituting officer of a Rebekah Lodge, in the absence of a qualified representative of the Jurisdiction, may invite a Past Grand Master of another Jurisdiction, who happens to be present, to exemplify the secret work of the Degree.

6129. A Past Noble Grand, if duly appointed, can institute a Rebekah Lodge. The appointment must come from the Grand Master.

6130. A District Deputy Grand Master cannot lawfully assist in instituting a new Rebekah Lodge who is himself not a Rebekah nor willing to be.

6131. Whether or not the Grand Master has the privilege to instruct the President of a Rebekah Assembly or a Past Noble Grand to institute a new Rebekah Lodge is a matter determined entirely by the law of the Grand Lodge.

6132. A lady who is a Past Noble Grand of a Rebekah Lodge may legally be appointed Special Deputy to institute a Rebekah Lodge, if properly appointed.

6133. A Special Deputy appointed to institute a Rebekah Lodge fulfils his or her duty when such Lodge has been instituted, and a proper report and return has been made of the same.

JEWELS.

(a). Rebekah Assembly.
(b). Rebekah Lodge.
(c). Rebekah Veteran.

(a). Rebekah Assembly.

6134. President—A jewel of gold, gold-plaited, or yellow metal, circular in form, one and one-half inches in diameter, one side to be plain, and on the other side, stamped or engraved, a figure or representation of Queen Esther, with the word Service underneath.

Vice-President—The same, with representation or figure of Rebekah at the well, with the word Fidelity underneath.

Warden—The same, with representation or figure of Ruth and Naomi with the word Industry underneath.

Secretary—The same, with representation or figure of a Pen, with the word Deborah underneath.

Treasurer—The same, with representation or figure of a Key, with the word Trust underneath.

Marshal—The same, with representation or figure of a Baton, with the word Hope underneath.

Conductor—The same, with representation or figure of two Wands, crossed, with the word Safety underneath.

Chaplain—The same, with representation or figure of a Bible, open, with the word Holy underneath.

Inside Guardian—The same, with representation or figure of a Shield, crossed by a Spear, with the word Prove underneath.

Outside Guardian—The same as for the Inside Guardian, except that the word shall be Vigilance.

6135. Past Presidents—Said jewel to be worn in form circular, of the diameter of 1⅛ inches; on the face thereof, on the upper side of the circle, seven stars set in the centre thereof with diamonds; on the immediate left of said stars a raised crescent; on the extreme lower edge of said circle, a raised representation of a bee hive; and immediately thereunder, three links; on the immediate left of said bee hive, a raised figure of a lily, and on the immediate right, and on a line with the top of said bee hive, the figure of a flying dove, holding in its bill an olive branch, the figure of which is to be cut into the surface of the jewel. The disc of said jewel to be milled; the back thereof to have inscribed thereon the words: "Presented to (name of Past President, date of presentation), President of (name of Assembly) Rebekah Assembly."

6136. Since the adoption of a Past President's Jewel by the Sovereign Grand Lodge, the Jurisdictions are compelled to use that Jewel, they cannot use the Jewel heretofore adopted by the Jurisdiction. No other Jewel can be furnished than the one authorized by the Sovereign Grand Lodge at the session of 1905, though there can be no objection to using those heretofore authorized by parties having them and entitled to use them.

6137. The D. D. G. M. jewel cannot be sold to be worn by a sister who is a D. D. G. M. in a Rebekah Lodge. All laws enacted upon this subject refer only to brothers who have been appointed D. D. G. M.

(b). Rebekah Lodge.

6138. Past Noble Grand—A five-pointed star of white metal, one and one-half inches in diameter.

Noble Grand—Of silver or silver-plated, circular in form, one and one-half inches in diameter, with figure of Rebekah at the well engraved or stamped on one side, with the word Fidelity underneath. The other side of the jewel to be plain.

Vice Grand—The same, with representation of figure of Ruth and Naomi, with the word Industry underneath.

JEWELS—Rebekah Lodge.

Secretary—The Same, with representation of a Pen, with the word Deborah underneath.

Financial Secretary—The same as for the Secretary with the word Deborah omitted.

Treasurer—The same with representation or figure of a key, with the word Trust underneath.

Warden—The same, with representation or figure of a Bar and Axe, crossed, with the word Hope underneath.

Conductor—The same, with representation or figure of two Wands, crossed, with the word Safety underneath.

Inside Guardian—The same, with representation or figure of a Shield, crossed by a Spear, with the word Prove underneath.

Outside Guardian—The same as for the Inside Guardian, except that the word shall be Vigilance.

8(c). Rebekah Veteran.

6139. Any sister, member of the Rebekah Degree, who has been a member in good standing of a Rebekah Lodge for fifteen consecutive years, shall be entitled to wear a jewel, to be designated the Rebekah Veteran Jewel.

6140. Of yellow metal, one and one-quarter inches in diameter. A round bar with pin is attached to the jewel by two chains of yellow metal, and between the chains and suspended the monogram V. R. D. The round bar is enameled pink and green. In the center of the jewel are the figures 15, in white enamel, surrounded by an olive wreath on a dark ground. The outer edge of the jewel is finished with white enamel. The entire length of the jewel, including the bar and chains, is two and one-quarter inches. The design is patented and the jewel is sold by the Grand Secretary of the Sovereign Grand Lodge, on an order from the Grand Secretary of the Grand Lodge.

6141. The Grand Secretary of the Sovereign Grand Lodge is authorized to sell Rebekah Veteran Jewels on the order of the Secretary of a Rebekah Assembly in Jurisdictions which have delegated to the Rebekah Assembly the right to handle Rebekah Lodge supplies; provided that said Rebekah Assembly shall first provide for securing and retaining the record of membership necessary to entitle a sister to wear the Rebekah Veteran Jewel.

JUNIOR PAST NOBLE GRAND.

6142. As to the proposed provision "that at the institution of a new Rebekah Lodge, no sister can act as Past Noble Grand unless she has filled such an office by going through a Noble Grand's chair in a Rebekah Lodge," the chair of Past Noble Grand is not an office, nor is the Past Noble Grand an officer, and as no official instructions are connected with the charge of Past Noble Grand, as in the case of the first officers of a new Rebekah Lodge, previous service is not required as a qualification and no good can be obtained from such change. Therefore, at the institution of a new Rebekah Lodge and during the first term of such Lodge, when no Past Noble Grand is present any member in good standing may be selected to fill the Past Noble Grand's chair.

6143. A Past Noble Grand serving her second term as Noble Grand may be elected as Secretary.

6144. Subdivision "F" of Section 16 of the Rebekah Code (1896 Journal) is applicable only to the first term of a Rebekah Lodge. After the first term a Past Noble Grand must deliver the charge referred to in the said subdivision. Except in the case of a new Lodge, one must be a Past Noble Grand to be entitled to deliver the charge of that officer.

6145. A member filling the position of Junior Past Noble Grand during the first term of a New Rebekah Lodge, is not thereby made a Past Noble Grand.

MARRIAGE.

6146. The marriage of a sister with a man not an Odd Fellow does not affect her standing in the Lodge.

MEETINGS.

6147. The place of meeting of Rebekah Lodges is left with State Grand Bodies. The new Code makes no change in that respect.

6148. The regular time of meeting cannot be altered by issuing a special dispensation, although a dispensation can be issued to a Lodge to hold a special meeting at a time not provided for in the By Laws.

6149. The Charter for a Rebekah Lodge in this Grand Jurisdiction pro vides that the said Lodge shall meet in the place designated in said Charter and shall not be removed therefrom without the consent of the Grand Master. It shall be lawful for Rebekah Lodges, whenever their regular meetings fall upon legally established or generally recognized holidays, to omit such session.

MEMBERSHIP.

(a). Qualifications for.
(b). Sisters.
(c). Brothers.
(d). Those who Have Taken the Degree.
(e). In Only one Rebekah Lodge.

(a). Qualifications for.

6150. Good moral character and belief in a Supreme Being, though not specified as conditions of membership, in Subdivisions 1 and 2 of Section 6 of the Code, are prerequisites to membership, as much as under Subdivision 3. Those conditions are "ancient landmarks" and are not repealed by Section 35.

6151. Under Section 6, Subdivision 1 of the Rebekah Code, a woman that is of mixed blood (Indian or negro), who is the wife of an Odd Fellow in good standing is not eligible to membership.

6152. A lady who is the daughter of a saloon keeper is not by that fact ineligible to membership.

6153. A woman selling liquor for a living is not legally admissible to membership in a Rebekah Lodge.

6154. The wife of an Odd Fellow who, after taking a Withdrawal Card, becomes a saloon keeper, is not eligible to membership.

6155. A totally deaf person cannot legally become a member of a Rebekah Lodge.

(b). Sisters.

(a). Single Woman.
(b). Widow.
(c). Daughter, Sister, Mother.
(d). Age.
(e). Wife of an Odd Fellow.
(f). Stepmother.
(g). Divorced Woman.

(a). Single Woman.

6156. A young lady, single, of the age of 18, who has no relative, may join a Rebekah Lodge.

6157. The adoption of the following amendment to Section 6, of the Rebekah Code (1899 Journal 330, 332, 355, 373): "All Odd Fellows in good standing, their wives, their daughters, their sisters and their mothers, and the daughters, sisters and mothers of deceased Odd Fellows," did not repeal Subdivision 3 of said section, which provides that "all unmarried white women" are eligible to the Degree.

6158. A lady whose husband is dead, is eligible to apply for membership in a Rebekah Lodge, she having no relationship as a basis for appli-

cation. Being a widow she is an unmarried woman and is eligible to membership.

(b). Widow.

6159. A widow—an unmarried woman—is entitled to be admitted to a Rebekah Lodge under the new Code, although her husband was not an Odd Fellow in good standing at the time of his death.

6160. If by "grass widow" is meant one living apart from her husband, he being alive, she is not eligible to membership as a widow.

(c). Daughter, Sister, Mother.

6161. The daughter, sister or mother of an Odd Fellow, in good standing, or who died in good standing, is eligible to membership, though married to a man not an Odd Fellow.

6162. A deceased Odd Fellow must have been in good standing at the time of his death to render his daughter, sister or mother eligible to membership in a Rebekah Lodge.

6163. A married woman whose husband is not an Odd Fellow, but whose father or brothers are or were Odd Fellows in good standing, is entitled to membership in a Rebekah Lodge.

6164. A married sister of an Odd Fellow is eligible to membership in a Rebekah Lodge by virtue of such relationship, irrespective of the fact that her husband may not be a member of the Order.

6165. The legally adopted child of an Odd Fellow, in a Jurisdiction where the laws provide that such child possesses all the rights of a natural born child, is eligible to membership in a Rebekah Lodge.

6166. A married lady, whose husband is not a member of the Order, but whose father or brother is a member of the Order, is eligible for membership in a Rebekah Lodge. Rebekah Degree Code, Section 6, states the qualifications for membership in Rebekah Lodges as follows:

(1) All persons who have received the Rebekah Degree.

(2) All Odd Fellows in good standing; their wives, daughters, sisters, and mothers; also the daughters, sisters, and mothers of deceased Odd Fellows, who at the time of their death were members of our Order.

NOTE.—Good standing within the terms of this law means not suspended for cause or non-payment of dues, or, in other words, that the Brother at the time of his death was a contributing member.

(3) All unmarried white women, who have attained the age of 18 years.,

Under this designation the applicant is the daughter and the sister of a member of the Order in good standing. The fact that she is married to a man who is not an Odd Fellow does not render her ineligible.

6167. If a daughter or a sister of an Odd Fellow (as specified) is married to one who is not an Odd Fellow, she is eligible to membership in a Rebekah Lodge by virtue of her relationship to an Odd Fellow in good standing.

(d). Age.

6168. Section 6 of the Rebekah Code was amended in 1903, so that the wife of an Odd Fellow is eligible to membership in a Rebekah Lodge, irrespective of her age.

6169. When a married woman, not the wife of an Odd Fellow, who is not eighteen years of age, but is the daughter of an Odd Fellow in good standing, whose mother is a Rebekah and whose father-in-law and mother-in-law are also members of the Order, and whose husband is not old enough to become an Odd Fellow, applied for membership in a Rebekah Lodge, it was held that she is not eligible because she has not attained the age of eighteen years. The eighteen year age limit applies to all applicants, except the wife of an Odd Fellow.

MEMBERSHIP—Sisters.

(e). Wife of an Odd Fellow

6170. The wife of an Odd Fellow who holds an unexpired Withdrawal Card is not eligible to membership.

6171. A Rebekah Lodge cannot act upon the report of its Committee and receive into membership the wife of a brother of a Lodge acting, at the time of application, under dispensation, but whose Grand Lodge refused it a charter before the Rebekah Lodge had acted on the report of the Committee.

6172. The wife of a man who is not an Odd Fellow cannot lawfully be admitted to membership if the lady is not related to an Odd Fellow as mother, sister or daughter.

6173. The wife of a suspended member of a Subordinate Lodge, if she has never held the Degree of the Rebekah Order, is not eligible to membership.

6174. A married lady who does not live with, but is not divorced from her husband (who is an Odd Fellow), and is likewise the sister of an Odd Fellow, in seeking membership in a Rebekah Lodge may apply as the wife or as the sister of an Odd Fellow, as she may choose.

(f). Stepmother.

6175. A married woman, not the wife of an Odd Fellow, is not entitled to membership because she is the stepmother of an Odd Fellow.

(g). Divorced Women.

6176. A woman divorced absolutely from her husband is an "unmarried woman" and eligible to membership in a Rebekah Lodge.

(c). Brothers.

6177. A member may retain his membership in a Rebekah Lodge after his Subordinate Lodge becomes defunct and he has a Withdrawal Card, but not deposited in another Subordinate Lodge, providing the Withdrawal Card is deposited in a Subordinate Lodge within twelve months after it has been issued.

6178. Membership in a Rebekah Lodge is dependent upon the brother's continuous good standing in his Subordinate Lodge, and a brother suspended for non-payment of dues in his Subordinate Lodge is by reason thereof suspended from membership in the Rebekah Lodge to which he belongs. Such suspension in his Rebekah Lodge dates from the date of his suspension in his Subordinate Lodge. When the brother's disabilities are removed in the Subordinate Lodge, and he is restored to good standing therein, he becomes *ipso facto* reinstated in his Rebekah Lodge, provided he is not in arrears for dues in such Rebekah Lodge.

6179. The holding of a live Withdrawal Card does not sever the holder's connection with the Order, but only with his Lodge, and the severance in this case is not complete, as he is a quasi member, and may visit Lodges. He retains his membership in his Rebekah Lodge.

6180. A brother who has received the Rebekah Degree in a Grand Lodge or in a Rebekah Lodge is eligible to be an applicant for a charter for a Rebekah Lodge, or to be admitted to membership in such Lodge after its institution on a favorable ballot; provided, he is in good standing in his Subordinate Lodge and is not a suspended or expelled member of a Rebekah Lodge.

6181. An initiatory degree member is qualified to become a charter member of a Rebekah Lodge, or to become a member in a Rebekah Lodge.

MEMBERSHIP—Brothers.

6182. A brother holding live Withdrawal Cards from a Subordinate and a Rebekah Lodge, cannot join a Rebekah Lodge until he has first connected himself with a Subordinate Lodge.

6183. In the case of brothers, membership in a Rebekah Lodge is dependent upon continuous good standing in a Subordinate Lodge, except that if a brother shall take a Withdrawal Card from the Subordinate Lodge of which he may be a member, his membership in his Rebekah Lodge shall not be affected thereby for one year from the date of said Withdrawal Card, if during that time he shall keep his dues paid up in the Rebekah Lodge; and if he shall during said year become a member of another Lodge by deposit of said card, his membership in the Rebekah Lodge shall not be affected by the taking of the card. A brother's standing in a Rebekah Lodge depends upon his continuous good standing in a Subordinate Lodge in good standing except in case of a brother holding a Withdrawal Card in date his membership in a Rebekah Lodge is not affected thereby, provided he keeps his dues paid for one year from date of Withdrawal Card.

6184. If a brother is suspended or expelled from his Subordinate Lodge, his membership terminates at once in his Rebekah Lodge.

(d). Those Who have Taken the Degree.

6185. The wife and husband, both of whom once belonged to a Rebekah Lodge but took Withdrawal Cards, now out of date, can join a Rebekah Lodge. This decision is to be considered as modified by Section 10 of the Rebekah Code, which reads as follows: "A brother's membership in a Rebekah Lodge is dependent on continuous good standing in a Subordinate Lodge.

6186. A member of Rebekah Lodge has taken a Withdrawal Card that has expired. Her husband has also taken one from his Lodge that has expired. She can regain membership in a Rebekah Lodge without her husband first joining the Subordinate Lodge, under first subdivision of Section 6, by depositing her card with her application for membership.

6187. The first clause of Section 6, "All persons who have had the degree," does not embrace an expelled Odd Fellow who once had the degree, nor his wife, if she has been expelled, though she may have had the degree.

6188. If the Subordinate Lodge to which a brother belongs has become defunct, and both he and his wife have received the degree, the wife is eligible for membership in a Rebekah Lodge upon production of proof of being in possession of the degree. The husband is eligible when he becomes a member in good standing in a Subordinate Lodge.

6189. Suspended members who have had the Rebekah Degree are eligible to membership upon a Card or Certificate, provided Section 10 of the Rebekah Code is complied with.

(e). In only One Rebekah Lodge.

6190. A woman joins a Rebekah Lodge. Some months after she moves to another town in the same Jurisdiction, where she makes application to a Rebekah Lodge located there for admission by initiation. She is duly elected before it is learned by the last named Lodge that she held membership in another Lodge. She never applied for nor received a card from the Lodge she first joined. The status of such a person is that she is still a member of the first Lodge she joined, never having legally become a member of the last named Lodge. She is liable to have charges preferred against her in the first Lodge, and while she acted in possible ignorance of the law, such ignorance, if proven, may be taken in mitigation of the offense, which is seeking to become a member of a Lodge by fraudulent misrepresentation. The Grand Master, after his attention has been called to the case, should direct the second Lodge to strike the name of the woman from

the roll of membership and notify the Lodge to which she really belongs to prefer charges against her.

6191. A Rebekah who has been suspended for non-payment of dues, cannot lawfully join another Lodge without a Dismissal Certificate from her old Lodge.

MEMORIAL SERVICE.

6192. A memorial service for deceased members of Rebekah Lodges, I. O. O. F., was adopted in 1903.

MUSIC.

6193. A sister may furnish marches to be used in Rebekah Lodges, if not issued in the name of the Order and do not supplant any required by the Sovereign Grand Lodge to be used.

NAME OF LODGE.

6194. A Rebekah Lodge cannot have the Christian or surname of a living person especially where such name, if given, would be intended for or as an honor to any such living person. Although it may be true that the Christian name is one frequently borne by women, and although it may be equally true that some names and the one which is intended to be used, is borne by many people. The purpose and spirit of the law is intended to prohibit entirely any naming whatever of Lodges for living persons. Rebekah Lodges are required to select feminine names. They cannot take the name of any Subordinate Lodge in this Jurisdiction.

NAME OF THE ORDER—EMBLEMS.

6195. A Rebekah Lodge, desiring to raise funds to furnish a room in the Widows' and Orphans' Home, and to help defray the expenses of their team to the session of the Grand Lodge, where it will compete for prizes offered for the best work, arranged to serve meals at the State Fair, displayed a sign about as follows: "Rebekah Lodge, No. —, I. O. O. F. Lunch Stand." This action is not in violation of the law of the Order, unless the Lodge funds are used or jeopardized in the matter.

6196. Where a sister belonging to a Lodge desired to hold an entertainment for her own benefit in the name of Deborah Lodge. It was held that it would not be legal for her to hold the entertainment under the name of the Lodge and for her own benefit.

NOMINATION.

6197. A sister can lawfully be nominated and elected to an office in a Rebekah Lodge who is not present in the Lodge either on the night of nomination or on the night of election.

NON-CONTRIBUTING MEMBERS.

6198. The resolution of the Sovereign Grand Lodge, providing for the retention of members over 60 years of age, as Non-Contributing Members, their protection against suspension for the non-payment of dues and the relief of the Lodge against the payment of per capita tax, does not apply to the Rebekah branch of the Order.

OFFICERS.

6199. The President of a Rebekah Assembly doubtless may appoint other than those officers named in Section 31, *e. g.*, supporters, but they would not rank as officers, only assistants. The elective officers of a Rebekah Lodge shall consist of a Noble Grand, Vice Grand, Secretary and Treasurer. The appointed officers shall consist of a Warden, Conductor, Outside Guardian, Inside Guardian, Right and Left Supporters to the Noble Grand, who shall be appointed by the Noble Grand and the Right and Left Supporters to the Vice Grand, who shall be appointed by the Vice Grand. The Noble Grand may also appoint two Altar Supporters.

PASS WORD.

(a). Annual Pass Word. (b). Semi-Annual Pass Word.

(a). Annual Pass Word.

6200. Unless the By Laws provide otherwise, the additional characters upon the Degree Staff shall be appointed by the Committee authorized to supervise the Work of the Degree in the beautified form.

6201. A brother or sister is entitled to receive the Annual Pass Word who has paid his or her dues to the date of requesting it.

6202. The Annual Pass Word should be communicated to the candidate after he or she has signed the Constitution.

(b.) Semi-Annual Pass Word.

6203. Where the authority has been delegated by the Grand Lodge, the President of the Rebekah Assembly may formulate and give out the Term Pass Word.

6204. In a jurisdiction where Rebekah Lodges have yearly terms the Term Pass Word may be for the year, or there may be a Pass Word for each half-year, at the option of the Grand Lodge.

6205. In the absence of any law limiting local legislation, the declaration of the Sovereign Grand Lodge ("or cause them to be communicated") gives the Noble Grands of Rebekah Lodges the same power in communicating the Pass Words that is given to the Noble Grands of Subordinate Lodges.

6206. The Semi-Annual Pass Word should be communicated on an official certificate to a member of a Lodge belonging to this Jurisdiction. The official certificate must show the holder's dues paid to a date later than when it is presented and request is made for the Pass Word and should then only be communicated to the holder after proper identification and examination. No other order is required.

6207. The term Pass Word cannot be given openly in a Rebekah Lodge.

PAST GRAND.

6208. A brother, a Past Grand in good standing in his Subordinate Lodge, also a member of the Grand Lodge, and in possession of the Past Grand and Grand Lodge degrees and a member of the Rebekah Assembly, having received the Assembly degree, and served a term as Noble Grand in a Rebekah Lodge, claims the right by virtue of being a Past Noble Grand of a Rebekah Lodge to vote at election of officers and hold office in a Rebekah Assembly. His right to vote and to hold office depends on the legislation of the Assembly of his Jurisdiction as approved and permitted by the Grand Lodge of that Jurisdiction. This legislation may be found either in the Constitution or the By Laws of the Assembly, or in other legal forms of legislation.

6209. A Past Grand, a member of a Rebekah Lodge, cannot deliver the Past Noble Grand's charge at initiations except during the first term after the institution of the Lodge. A past officer of a Subordinate Lodge shall not be entitled by reason thereof to any special privilege in a Rebekah Lodge other than the wearing of the collar of the highest rank attained.

PAST NOBLE GRAND.

6210. A sister is entitled to the honors and rank of Past Noble Grand if the nights actually served as Noble Grand, added to the nights when excused for sickness and the nights when the government prohibited meetings because of the prevalance of an epidemic, would together make a majority of the meeting nights of the term.

PAST NOBLE GRAND.

6211. The Noble Grand becomes a Past Noble Grand upon the expiration of her term of office, regardless of whether she is re-elected to the same office or not.

6212. The Noble Grand of a Rebekah Lodge is not entitled to a Past Noble Grand's Certificate, even though she served a majority of nights in the term, if her Lodge becomes defunct before the end of the term.

6213. An officer is entitled to the honor and rank of Past Noble Grand if the nights she actually served added to the nights she was excused for sickness and the night she was prevented from attending because of the change of the meeting night unknown to her, and the nights which the Lodge did not meet by reason of the prevalence of an epidemic when the Government prevented meetings, would make a majority of the meeting nights of the term. If the nights she actually served as Noble Grand and the meetings which she was absent from by the unknown change of the meeting night and the nights when the Lodge did not meet because of the Act of the Civil Government, would not together make a majority of the nights, and if it should be necessary to include some of the nights when she was absent under excuse, if the minutes do not show that she was excused or under leave of absence, then the Lodge should by some action taken, show that she was excused or under leave, if such was the case, a Past Noble Grand's certificate of the Secretary under seal would not be sufficient. The certificate of the Secretary to be of force in this state of the record should be executed by authority of the Lodge.

PER CAPITA TAX.

6214. The Grand Lodge may transfer its powers to tax Rebekah Lodges to the Assembly under Section 30 of the Rebekah Code.

6215. The Grand Lodge can authorize its Rebekah Assembly to levy upon and collect from its Rebekah Lodges a per capita tax.

PRESIDENT OF ASSEMBLY.

6216. The Grand Lodge cannot give to the President of its Rebekah Assembly power to decide all questions of law and usage governing Rebekah Lodges and make such decisions binding until reversed by the Assembly. The power thus given must be approved of by the Grand Master.

6217. A Grand Lodge can delegate to the President of the Rebekah Assembly the power to act *ad interim* on appeals from Rebekah Lodges. While the Grand Lodge can so delegate its powers, and if it so delegates them, the appeal lies in the first place to the President of the Rebekah Assembly, with the right of appeal from her decision to the Grand Master.

PUBLIC EXHIBITION.

6218. A Rebekah Lodge cannot legally give an exhibition drill in costume before persons not members of a Rebekah Lodge, using the drill or floor work pertaining to the degree, nor use the costumes in giving a public exhibition, nor have photographs of the staff taken in the robes and costumes used in conferring the degree. Rebekah Lodge staffs cannot lawfully have photographs taken in the robes and costumes of the staff work.

RE-ADMISSION.

6219. A member of the Lodge is granted a Withdrawal Card and presents the same to her former Lodge inside of one year, with request for re-admission. The Lodge is, nevertheless, required to take a ballot on the admission of the holder of the Withdrawal Card.

REGALIA.

6220. Rebekah Assemblies cannot authorize or permit wearing of other Regalia than that prescribed by the Sovereign Grand Lodge.

6221. Floral bouquets of pink and green cannot be worn in lieu of Regalia.

6222. In a Rebekah Lodge the Regalia must be worn by the officers, if possible. It is not sufficient excuse for omitting to do so that it is locked up in the wardrobe.

6223. A solid gold jewel in the form of a five-pointed star in a circle with the emblem of the Rebekah Degree on it, attached to a pink and green ribbon is not a sufficient Regalia for a Past Noble Grand to wear in a Rebekah Lodge, and to take part in its deliberations.

6224. Lady members other than the officers of a Rebekah Assembly may wear the badge prescribed in Section 25, Rebekah Code.

6225. A brother, not an officer in a Rebekah Lodge, may wear therein the Regalia he is entitled to wear in a Subordinate Lodge or Encampment, or in case he is a Chevalier the full or undress uniform he is entitled to wear in his Canton.

6226. Brothers in a Rebekah Lodge should wear the Regalia they are entitled to wear in a Subordinate Lodge, unless they are officers, when they must wear the Regalia of the office they hold.

6227. A brother, who is a Noble Grand of his Subordinate Lodge cannot lawfully wear his Noble Grand Regalia in the Rebekah Lodge or Encampment of which he is a member. The Regalia of a Noble Grand, Vice Grand, or other officer of a Lodge should be worn by the person lawfully occupying the office or chair at the time being. The Noble Grand's Regalia is not one that should be worn by the Noble Grand, except when performing some duty of his office.

6228. A Past Noble Grand cannot lawfully wear the Regalia of a Past Noble Grand while acting as Right Supporter to the Noble Grand. She must wear the Regalia of the office she is occupying.

6229. Any Lodge may make its own Regalia, provided the same is made as prescribed by law.

REINSTATEMENT.

6230. Rebekah Lodges may provide in the By Laws the terms of reinstatement.

6231. To reinstate a suspended sister to membership, a certificate of her husband's good standing in his Subordinate Lodge is not required.

6232. The fact that a lady received the Rebekah Degree in a Subordinate Lodge of which her husband was a member, and who is now a widow, and has been suspended for non-payment of dues, does not hinder her reinstatement in a Rebekah Lodge.

6233. A suspended sister, after marrying a non-Odd Fellow, may be reinstated in a Rebekah Lodge.

REPORTS.

6234. Reports of Rebekah Lodges must be made to the Grand Secretary or the Secretary of the Rebekah Assembly of the Jurisdiction, as the Constitution of the Rebekah Assembly may provide.

6235. A Grand Lodge, having under its Jurisdiction Rebekah Lodges, shall require returns to be made by them on the 31st of December of each year, and may require that such returns shall be made to the Secretary of the Rebekah Assembly, and in such case shall require such officer to make a full report of same to the Grand Lodge. Any neglect to make such returns shall be visited with such penalties as the Grand Lodge of the Jurisdiction may direct.

REPORTS.

6236. In future, Grand Lodges must prepare and furnish to the Rebekah Lodges in their Jurisdictions blank forms for reports, which forms must require all the information demanded by the law of the Sovereign Grand Lodge.

6237. The Rebekah Code gives Grand Lodges power to fix the penalty for neglect to make returns, and the Constitution fixing such penalty for a time longer or shorter than the month allowed under the old law for forfeiture of charter is legal.

RESPONSE.

6238. It is not a violation of any law if a member addressed by the Noble Grand responds "Noble Grand."

6239. It is legal for a Rebekah Lodge to refuse to restore a sister who was under suspension for two years, and who appealed to the Grand Lodge, which reinstated her, if, pending such appeal, other charges were preferred against her and she was expelled.

REVOCATION OF CHARTER.

6240. The Grand Lodge cannot give to its Rebekah Assembly power to revoke the charter of a Rebekah Lodge or disturb a Lodge in possession of its chartered rights. The power of revocation belongs to the body authorized to grant the charter. The Grand Lodge cannot delegate that power.

6241. The Grand Lodge cannot transfer from the Grand Master to the President of the Rebekah Assembly the power to reclaim the charter, books and effects of a Rebekah Lodge.

RITUAL.

6242. The Ritual of the Rebekah Degree has been authorized in the German and French languages.

6243. Rituals cannot be taken from the Lodge room, even for binding.

6244. No portion of the Encampment Ritual can be used in a Rebekah Lodge under any circumstances.

SEAL.

6245. All seals used by Rebekah Lodges should bear the legal designation "Rebekah Lodge," and not that of "Degree of Rebekah," "D. of R.," etc.

SECRETARY.

6246. Where a Subordinate or Rebekah Lodge has two Secretaries, the official titles are Recording Secretary and Financial Secretary.

6247. There is no law prohibiting a brother from acting as permanent Secretary of a Rebekah Lodge.

SPECIAL DEPUTY GRAND MASTER.

6248. If no local law exists to the contrary, a Past Grand, who is a member in good standing in a Rebekah Lodge also, may be commissioned by the Grand Master as his special deputy over a Rebekah Lodge.

SPECIAL SESSION.

6249. Unless the Grand Lodge or the charter of a Rebekah Assembly permits, a Rebekah Assembly cannot convene in special session to confer the Assembly Degree.

6250. Permission has been given by the Grand Lodge for the Rebekah Assembly to be convened in special session by the President to confer the Assembly Degree, but executive authority to confer the Degree is vested in the President.

SUBORDINATE LODGE.

6251. The term "Subordinate Lodge" has and holds a technical meaning, and does not include a Rebekah Lodge.

6252. There is no law to prevent the members of a Subordinate Lodge from organizing two or more Rebekah Lodges from among its membership.

6253. In case two Rebekah Lodges are organized from the same Subordinate Lodge, both should be accorded the same privileges by the Subordinate Lodge.

SUPPLIES.

6254. When authorized by the Grand Lodge the Secretary of a Rebekah State Assembly may purchase direct from the Grand Secretary of the Sovereign Grand Lodge all supplies to be used by Rebekah Lodges, the Grand Secretary of this Jurisdiction having first notified the Grand Sacretary of the Sovereign Grand Lodge that such permission has been granted.

TERM.

6255. A Rebekah Lodge may have six months' terms, if its By Laws so provide, and may meet semi-monthly, in which event thirteen meetings would constitute a term, and seven a majority of nights of the term.

6256. A Secretary was elected for six months, until the 1st of June, it would not be lawful for her to serve until December without being re-elected. She must be re-elected.

6257. On the night of Installation of Officers the Secretary elect was absent, the Lodge appointed a Secretary pro tem. The work of Secretary would be done by the retiring Secretary, as she was installed at the beginning of the term and will continue to act as Secretary until her successor is installed into office.

TERRITORIAL JURISDICTION.

6258. The Constitution for Rebekah Lodges provides that upon all points not covered by the Rebekah Code or the Constitution, Rebekah Lodges shall be governed by the laws and regulations applicable to Subordinate Lodges where applicable. This provision will be found peculiarly forcible in reference to the subject of Territorial Jurisdictions upon which there has been no express legislation for Rebekah Lodges.

6259. Where an applicant is a resident of a Grand Jurisdiction other than the one in which she seeks admission, consent of that Jurisdiction must be obtained before she can be lawfully admitted in the contiguous Jurisdiction.

6260. The penalty to be inflicted upon a Rebekah Lodge violating the provisions of the law prohibiting Rebekah Lodges from admitting persons as members not residing within their territorial jurisdiction, without having secured proper permission as provided by law, shall be as follows: Said Rebekah Lodge shall, upon conviction of such offence, immediately remit to the Rebekah Lodge having such territorial jurisdiction, the initiation and degree fees received from the member so admitted to membership, and that from time to time thereafter, when requested by the Lodge which has received the initiation and degree fees, pay to such Lodge all dues from said members so admitted to membership, and shall so continue to pay all such dues while he or she shall retain his or her membership, provided, nevertheless, that this resolution shall not affect the present legislation or any decisions in respect of and in relation to members being admitted by cards.

TRANSFER OF MEMBERSHIP.

6261. A member of the Order entitled to a Withdrawal Card, changing his or her residence from the Territorial Jurisdiction of his or her own Lodge to the Territorial Jurisdiction of another, and desiring to unite with a Lodge at his or her new place of residence, upon so stating in his or her application for membership, and being elected by ball ballot, as provided by local law, shall be entitled upon notice being sent to his or her old Lodge by the new Lodge to receive a Withdrawal Card at the actual cost of the card to the Lodge, and to admission to his or her new Lodge without being required to pay a card or admission fee; but where a physician's certificate is required he or she must pay the expense of the same.

6262. A member of a Rebekah Lodge desirous of availing himself or herself of said law, shall send with his or her application for a Withdrawal Card, the sum of 25 cents (cost price of such card), and an additional amount equal to four weeks' or one month's dues, which shall entitle the brother or sister to the protection of the Lodge from which he or she proposes to withdraw, for the period of four weeks or one month, or such less time as may be necessary to complete the transfer of his or her membership.

VICE GRAND.

6263. In a Rebekah Lodge the chair of Vice Grand cannot be filled by appointment of a member from the floor unless the member has served a term in some office other than Trustee.

VISITATION.

6264. The holder of a Withdrawal Card from a Rebekah Lodge may lawfully visit Rebekah Lodges during one year from the date of the card.

6265. A brother is granted a Withdrawal Card from his Subordinate Lodge on December 14; on September 10, following, he applies for admission by card, and is rejected; on December 1, following, he applies for a Withdrawal Card from the Rebekah Lodge. It is held that the Rebekah Lodge of which he is a member has the right to grant him a Withdrawal Card, and when it has been so granted he has a right to visit upon it for twelve months after its date.

6266. A sister is granted a Withdrawal Card and makes application for membership in another Lodge on the card, but her application is rejected. She may visit her former Lodge or any other Lodge inside of six months, and she can make application for membership on the Withdrawal Card to her former Lodge or to any other Lodge, except to the Lodge in which her application was rejected, inside of six months.

VOTING.

6267. Section 24, Rebekah Code, which provides that votes in all other cases (excepting such as are specifically stated shall be by ballot) shall be *viva voce* which means that the vote may be either yea or nay, or yes or no.

6268. A member of a Rebekah Lodge cannot vote upon an application for membership unless clothed in appropriate regalia.

WITHDRAWAL CARD.

6269. Upon application for a Withdrawal Card, should objection be made to its being granted, it will be proper to withhold the granting of it until proper investigation can be made, as it is a certificate of good character and fitness to visit for one year, as in a Subordinate Lodge.

WITHDRAWAL CARD.

6270. A Rebekah Lodge can legally refuse to grant a Withdrawal Card to members who are clear of the books of whatsoever kind, even though of good moral character and free from charges.

WORK.

6271. Rebekah Assemblies cannot permit any deviations from the work in the Ritual of the Rebekah Lodge.

6272. A State Assembly passed the following resolution: Resolved, That we petition the Grand Lodge to grant the President of the Rebekah Assembly the power of appointing upon the recommendation of the Grand Lodge Board of Instruction, three sisters to be known as the Rebekah Board of Instruction, who shall bear the same relationship to the Rebekah Assembly as the said Board to the Grand Lodge. This resolution and request is legal and proper.

APPENDIX.

Being a reprint of certain Acts of Assembly of the Commonwealth of Pennsylvania, relating to Fraternal Associations.

AN ACT.

Relieving members of beneficial societies from individual liability for Lodge indebtedness.

Section 1.—Members of Lodges of the Order of Odd Fellows, Knights of Pythias and other organizations paying periodical or funeral benefits, shall not be individually liable for the payment of periodical or funeral benefits, or other liabilities of the Lodge or other organizations, but the same shall be payable only out of the treasury of such Lodges or organization.

Provided, That the provisions of this Act shall only apply to unincorporated associations; and

Provided further, That this Act shall not apply to any liability heretofore incurred.

Approved the 28th day of April, A. D. 1876.

J. F. HARTRANFT.

AN ACT.

To prevent the wearing of the badge or button of any labor or fraternal organization by others than members, and fixing a penalty for the same.

Section 1. Be it enacted, etc., That any person who shall wilfully wear the insignia, badge or button of any labor or fraternal organization, or use the same to obtain aid or assistance within this State, unless he or she shall be entitled to use or wear the same under the constitution and by-laws, rules and regulations of the above named organization, shall be guilty of misdemeanor, and upon conviction shall be punished by a fine not to exceed one hundred dollars.

Approved—The 10th day of June, A. D. 1897.

DANIEL H. HASTINGS.

AN ACT.

To provide for the disposal of the property of unincorporated associations organized for benevolent, charitable or beneficial purposes, upon the dissolution, expulsion, surrender of warrant or charter, or vacation of the same, under which such associations have been constituted or organized.

Whereas, There are in existence in this Commonwealth a large number of unincorporated associations constituted or organized for benevolent, charitable and beneficial purposes, under warrants or charters granted by associations which are recognized as the parent or superior body, and themselves acknowledged and recognized as subordinates, and which associations have acquired considerable sums of money or other property.

And Whereas, Nearly all of the parent or superior bodies have adopted rules and regulations for the government of the associations subordinate to such parent or superior body from whom the warrant or charter under which they are or have been constituted or organized, and such rules and regulations of the parent or superior body provide, that, upon the dissolution, expulsion, surrender of warrant or charter, or vacation of the same, of any of such subordinate associations, that the moneys, property, books and effects of such subordinate associations shall be transmitted and delivered to the parent or superior body from or under which they have received or held their warrants or charters, to be by said parent or superior body used and applied fo the uses and purposes for which they have been collected and received,

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and such subordinate bodies or associations received the warrant or charter under which they became constituted or organized upon the condition that they would comply with the rules and regulations of such superior or parent body from which they received their warrant or charter.

And Whereas, It has occurred that some of these subordinate associations have dissolved, been expelled, surrendered their warrant or charter, or the same has been vacated by the parent or superior body, and that such subordinates have divided the funds or properties which they held at the time of such dissolution, expulsion, surrender of warrant or charter, or the vacation of the same, among a part or the whole of the members of such subordinate association, in violation of the conditions upon which they received the warrant or charter from such parent or superior body.

And Whereas, Doubts exist as to whether the agreement or condition hereinbefore referred to could be enforced or sustained in the courts of the Commonwealth, for the purpose of removing said doubts and to confer power to enforce the same, therefore

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the funds and effects of unincorporated associations for benevolent, charitable or beneficial purposes, constituted or organized under any warrant or charter granted by any association recognized or acknowledged as the parent or superior body, where the rules and regulations of such parent or superior body require that upon the dissolution, expulsion, surrender of warrant or charter, or vacation of the same, by such parent or superior body, the moneys, property and effects, of such subordinate association shall be delivered and paid to the parent or superior body, are hereby declared to be trust property, and it shall be unlawful for any such subordinate association to divide or distribute the moneys, property or effects, or any part thereof, to and among the members of such subordinate association, or any member thereof, either directly or indirectly, or by way of donation; but all such moneys, property and other effects of such subordinate association, upon the dissolution, expulsion, surrender of warrant or charter, or vacation of the same, by the parent or superior body for which they have obtained the warrant or charter under which they have been constituted or organized, shall be paid and delivered to the proper officers of such parent or superior body; and in case any such subordinate association shall or may have made any division or distribution of the moneys, property or effects held by such subordinate association, or any part thereof, to or among the members thereof, or any member of them, either directly or indirectly, the principal officers or trustees of the parent or superior body, to the use of such parent or superior body, may recover such moneys, property or other effects so divided or distributed, contrary to the provisions of this Act, from the person or persons to whom the same or any part thereof shall or may have been paid or delivered; and the several courts of equity of this Commonwealth are hereby vested with full power and authority to enforce the provisions of this act as in other cases within their jurisdiction. And the said parent or superior body to whom any moneys, property or other effects of such subordinate associations shall be paid and delivered, shall take and hold the same for the purposes and intents for which they were received and held by such subordinate associations; Provided, however, That all suits commenced or brought to enforce the provisions of this Act shall be commenced or brought within two years next after the time when such division or distribution shall have been made.

JOHN E. FAUNCE,
Speaker of the House of Representatives.

CHAUNCEY F. BLACK,
President of the Senate.

Approved the twentieth day of June, Anno Domini one thousand eight hundred and eighty-three.

ROBERT E. PATTISON.

APPENDIX.

DIVIDING LODGE FUNDS.

At the Annual Session of the Grand Lodge, held May 17th, 1887, the Grand Secretary reported that Eilert Lodge, No. 582, located at New Hamburg, Mercer County, was defunct, and that certain members of said Lodge were endeavoring to dispose of its property, and were boldly defiant of the laws of the Order. The D. D. Grand Master was at once advised to apply for an injunction against them. He retained A. F. Henlein, Esq., as counsel upon the part of the Grand Lodge, and made a formal demand upon the officers for the books, papers, furniture and property of the Lodge, with which they refused to comply. A preliminary injunction was applied for and granted. A paper-book was prepared and printed, setting forth the laws of the Order and of the land. To this a reply was made and the case argued. The decision of the Court and the final decree are hereunto appended:

In the Court of Common Pleas, of Mercer County, Sitting in Equity No. 5, January Term, 1887.

OPINION.

It is not necessary to discuss the evidence in this case in order to justify the conclusions of the learned Master in the particulars complained of in the defendant's first and second exception. The property of Eilert Lodge, No. 582, was purchased with the funds of the association, contributed by its members without condition. Hence no trust resulted in favor of the donors. Whatever interest they had in the property arose from the fact that they were members of the Lodge. The third exception complains that the learned Master erred in concluding that the Grand Lodge of the Independent Order of Odd Fellows is now entitled to the real estate mentioned in the fifth paragraph of the plaintiff's bill.

The real estate in question was conveyed, in fee simple, by deed dated June 19th, A. D. 1873, from Wm. Moyer and wife to R. T. Green, D. Snyder and D. H. Bell, Trustees of Lodge, No. 582, of the I. O. O. F., and their successors in office, of the village of New Hamburg, etc.

Lodge No. 582, of the I. O. O. F., was an unincorporated association, constituted or organized under a warrant or charter granted by the Grand Lodge of Pennsylvania of the Independent Order of Odd Fellows.

The Charter was granted and the Lodge was organized in May, 1866. The object of the Association, as set forth in the charter was "for the encouragement and support of brothers of the Order, in sickness, distress or on travel, and for the purposes of benevolence and charity."

The Charter provided, that if said Lodge should be dissolved, or should forfeit its charter, then all the property, money, books and papers of said Lodge should become the property of the Grand Lodge of Pennsylvania.

This provision was amplified in the laws of the Order as they existed at the time the Charter of Lodge No. 582 was granted, and as they have continued to exist ever since. Thus Section 631 of the Digest of the Laws of the Order, page 180, is as follows: "The funds and property collected under and by authority of a charter duly granted to a Lodge are trust funds, and can be applied only to the objects for which they were collected. No division or diversion of the funds or property, or other disposition of it, except for the legitimate objects of the Order can be recognized by the Grand Lodge. When a Lodge shall fail, for any cause, to continue as a working body and yield up its charter, the money and property of whatever kind of which it may be possessed and belonging thereto, must be surrendered up and paid over to the Grand Lodge." Again Section 634, page 181, is as follows: "The funds of a Lodge are held in common, but no individual has a right as a mere member to receive a share therein. In other words, they are not subject to an equal partition. Until a member is sick he has no claim on the funds." Section 1128, page 310, contains the following: "The peculiar office of a Subordinate Lodge is to provide the means to meet the claims of its sick and distressed members, to care for them properly during illness, to bury

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the dead, to succor the widow, and to educate the orphan. Among its objects shall be the formation of a fund for the benefit of members, their widows and orphans in times of sickness and distress." Section 1133, page 312, is as follows: "Should a Lodge be dissolved or forfeit its warrant, then all the property, money, books and papers of said Lodge shall become the property of the Grand Lodge, in trust for the objects of the Order." Section 1151 is as follows: "A Lodge in surrendering its charter and effects, must also relinquish into the control and custody of the Grand Lodge, its books and its available funds and property."

Lodge No. 582, styled and known as Eilert Lodge, No. 582, continued to exist as a working body from the time of its organization in May A. D. 1866. until the 18th day of December, A. D. 1886, when by proper representatives, it formally surrendered its charter to the proper representative of the Grand Lodge. Notwithstanding the surrender of its charter and the consequent extinction of Eilert Lodge, No. 582, defendants deny the right of the Grand Lodge to the property which belonged to the subordinate association.

It has already been determined that defendants had no rights in the property in suit save those which arose from the fact that they were members of Eilert Lodge, No. 582.

It remains to consider whether the property belongs to the Grand Lodge of Pennsylvania, of the Independent Order of Odd Fellows. If the charter of Eilert Lodge, No. 582, and the laws of the Order to which it belonged are given force according to their clear meaning, the question is of easy solution. But unless this Lodge, and the Order to which it belonged, were an entity, in some sense distinct from their membership, there may be a legal reason why the rights of the parties could not be determined by that charter and those laws. The deed by which the real estate in suit was conveyed contains no declaration of trust further than what is implied from a grant to the three persons named, "Trustees of Lodge, No. 582, of I. O. O. F., and their successors in office." If Lodge No. 582, of I. O. O. F., signified only its membership, it could be urged with much force that the trust was executed in the members, who therefore took vested interests as tenants in common. If that were the case, the charter and laws of the Order could hardly operate as a declaration of trust by the members, or a conveyance from them or in any other way to divest their title, for it does not appear that they aid the plaintiffs, for it could not *ex proprio vigore*, transfer from one to an assigned any instrument embodying the provisions of the charter and laws relating to property. Neither could the Act of 26th of June, 1883, (P. L. 133) other, property which had vested ten years before that Act was passed. It is of use to inquire then whether that unincorporated society, Eilert Lodge, No. 582, was a legal entity, so far distinct from its membership as to prevent a vesting of the property in its members and preserve it for the objects of the Order.

The learned Master evidently had this question in mind and answered it by concluding that the property acquired by Eilert Lodge, No. 582, was for charitable uses. This conclusion, however, was erroneous, as appears from the decision in Babb vs. Reed and others, 5 Rawle 151, and in Swift Executors vs. The Beneficial Society of Easton, 73 Pa. St. Reports 362. But while this Lodge was not a charity, its objects was "the encouragement and support of brothers of the Order, in sickness, distress or on travel, and for the purposes of benevolence and charity." The funds of the Lodge were contributed to further that object, and not for the private gain of the members. However, those funds might be changed in form, by investment in personal property or real estate, the use to which they were to be put remained the same. It was not necessary that any instrument should be formally signed in order to show that this was the intention of the donors of the funds and the agreement of the members of the Order. The charter which gave life to this Lodge and the laws by which each member consented to be bound, show a clear denial of all private right and a complete intention and a solemn mutual promise to dedicate all contributions to the objects of the Order.

Had the dedication been to a charitable use, equity, out of regard for

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the object, would hold the rights of the aggregate association to be in some degree distinct from and superior to the sum of the rights of the individual members; and this notwithstanding the Statute of Charitable Uses, 43 Eliz. Ch. 4 was not extended to Pennsylvania. In Whitman vs. Lex 17 S. & R. 90, Chief Justice Gibson said: "The simplicity which marked the lives of our fore-fathers enabled them to do without many institutions that, in the present state of society, are absolutely indispensable. Incorporations were almost unknown; yet to all sorts of pious and charitable associations, in every part of the province, valuable bequests were made by those who were ignorant of the niceties of expression necessary to accomplish the object at common law and who were not impressed with the opinion that it was at all necessary to consult counsel. Of this the will of the celebrated Dr. Franklin, which contains a bequest of money to be loaned for five years to young mechanics, is a striking instance.

"Yet such bequests have hitherto taken effect without a question as to their validity. There are few worshipping congregations, of any pretension to antiquity, who have not derived a part of their property from Testamentary donations that would have failed on the principles of the English common law. Nothing was more frequent than bequests to unincorporated congregations, without the intervention of trustees, and even where there was a corporation, it frequently happened that the corporation designated was mistaken, or the trust vaguely defined; notwithstanding which the testator's bounty was usually applied to its object. Surely a usage of such early origin and extensive application may claim the sanction of law, resting as it does, on the basis of all our domestic laws of domestic origin—"the legislation of common consent." Following this it has been held that even when a grant is made to the members of an unincorporated religious society, if it appear that the purpose was to promote the charity for which it was organized, the property belongs to the aggregate body and not the individual members; Brown vs. Lutheran Church, 22 Pa. 495." If equity will recognize the personality of unincorporated charitable associations, so far as to preserve their property for their objects, no reason appears for not recognizing any other unincorporated association as a person so far distinct from its membership as to prevent a diversion of its property from the objects to which it was dedicated, if these objects are lawful.

Even a partnership, an unincorporated association organized for trade and profit, is a distinct person in law. It has its own name, its own property, and a right to contract, to sue and be sued by its firm name. * * *.

Partners have no title to the partnership property, for the title vests in the firm, and the interest of each member is a resulting interest the value of which can be ascertained only by account; Clark vs. State Valley R. R. Co., 26 W. N. C. 541. If this be true of partnerships much more should it be true of an incorporated society, not organized for profit, and where it was expressly agreed that the property should be in trust for the objects of the Order, and that no part of it should belong to the individual members as such.

We, therefore, conclude that Eilert Lodge, No. 582, of the I. O. O. F., was a legal person, so far distinct from its membership that property held in trust for it would not vest in its members, but would be preserved for the objects of the Order. This being true, there is no reason why force and effect should not be given to the provisions of the charter of this Lodge and the laws of the Order to which it belonged.

Determining the rights of the parties by this standard, it is clear that a decree must be made, ordering a surrender of the property, real and personal, which was of Eilert Lodge No. 582, at the time of its dissolution, and which is now in the possession or control of the defendants, or any of them, to the proper trustees of the Grand Lodge of Pennsylvania of the Independent Order of Odd Fellows. Such a decree will be made when such trustees shall have been named.

By the Court,

SAMUEL S. MERHARD, P. J.

APPENDIX.

SURRENDER OF CHARTER AND DIVIDING LODGE FUNDS.

On the 16th of June, 1896, there was received at the office of the Grand Secretary a box, which, upon being opened, proved to contain the charter, rituals, ledger, seal and minute book of Nockamixon Lodge, No. 536, also a lot of regalia belonging to the Lodge.

Upon reference to the minute book, it appears that at a meeting of the Lodge on June 6, 1896, "on motion it was ordered that Nockamixon Lodge disband after June 6, 1896." On April 18, 1896, there appears to have been a preliminary motion made and adopted by the Lodge, and the Noble Grand desired the Secretary to notify Brother E. Goddard, Treasurer, as follows: "By the desire of the Noble Grand you are requested to meet with the Lodge next Saturday evening, April 23, 1896, for the purpose of delivering up the money and railroad stock in your possession."

On the first of July a meeting was held at the Temple at 2 o'clock P. M. The Grand Officers were all present with the exception of the D. G. M. Brother Past Grand Amos Briggs was also in attendance. At that meeting a communication was presented, asking that the charter, books and papers belonging to Nockamixon Lodge be returned to the petitioners, signed by 14 of the former members of the Lodge. The Grand Officers, after due consideration, adopted the following resolution: "Resolved, That the members of No. 536 be directed to hand over the funds they have received belonging to No. 536 to the Grand Lodge, then the Grand Officers will act upon the petition for the restoration of the charter. This application has since been supplemented by nine other names, some of whom were concerned in the illegal distribution of the funds, but afterwards paid their share over. Brother Amos Briggs filed a bill in equity in the Bucks County Court upon the members of the Lodge, to recover the money for the use of the Grand Lodge, and some money was collected. Ten of the members paid the money collected on their checks, into the Grand Lodge, eight of the members have sent in their checks on the Easton Bank, which have been protested.

Some of the brothers did what was right and honorable, they returned their checks and gave such information as they had, but later they became possessed of the idea that the action of the Lodge was illegal, and therefore the Lodge has not been disbanded, and that it only needs the members to get together again and put the Lodge in working order, and took strong ground against the officers of the Grand Lodge proceedings as they intended to do and have been doing to collect all the money that can possibly be collected from the members before they act upon the petition to restore the charter. The Grand Officers hold that the surrender has been, in fact, accomplished, that the Lodge is defunct, that the officers of the Lodge did deliver up the books and papers in their possession, and they have divided the funds among the members in good standing, those who were thirteen weeks in arrears did not receive a share of the funds.

In the Court of Common Pleas of Bucks Co., sitting in Equity as of October Term, 1896, No. 1:

OPINION.

The conduct of the officers and members present on the sixth day of June, 1896, in disbanding the Lodge, was contrary to the intent and purposes of the organization of Odd Fellows and against the wishes of the Grand Lodge to whom the Nockamixon Lodge was subordinate. The dissolution for the purposes stated by the participants was a gross breach of duty by the officers and the disbursement of the funds was glaringly illegal. But I am unable to find that the disbandment was of such an irregular or illegal character as to be ineffective in excluding the absent members from the use and benefits of the Lodge.

The purpose was highly discreditable to those concerned, but the proceedings were conducted according to the provisions of the laws of the Order. Through the surrender of the Charter, seal, books, papers and regalia of the Lodge to the Grand Lodge there was an actual dissolution under the

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prescribed forms, so that the Lodge was disqualified from opening or transacting business. It became powerless to enforce action, or even to act, and could not appeal to the Courts for redress or to recover its scattered funds.

It is admitted that a quorum was present, the meeting was regular in every respect, and more than five members took part in it. It is not claimed that five members present desired to continue the Lodge, but it is shown that more than five members who were not in attendance at the meeting of June 6, desired its continuance. Therefore, it is argued that the action was illegal and void, being contrary to the law of the Order.

I am unable to agree with this view. Section 1357 refers to the workings of a Lodge while in session. It is significant that the provision in relation to the dissolution of a Lodge appears in the same section as provides for the quorum and the transaction of business.

A disbandment or dissolution of a Lodge, affecting as it does the life and very existence of the organization, is an act of the highest importance; necessarily it must be the act of the Lodge, in a regular meeting. The unanimous consent of the membership outside of a Lodge meeting could not dissolve it, neither could the unwillingness of the five members not in attendance prevent the dissolution. That can be performed or prevented only by Lodge action in a Lodge meeting. Then five members have absolute veto power against the other combined membership even though it be hundreds, in or out of the Lodge meeting for the reason that five being sufficient to constitute a working quorum, so long as that number desire it they can maintain a lawfully officered Lodge. To require that at least five members who object to the dissolution of the Lodge shall observe diligence and be in attendance at the meetings, is not severe. Certainly a membership without sufficient interest in the Lodge's survival to maintain the attendance at the meetings of five persons does not indicate a prosperous or useful Lodge.

To recognize that five absent members could at any time, after Lodge action nullify its proceedings by averring willingness to continue the Lodge would practically paralyze its power to dissolve and set it afloat upon a sea of discord and confusion. When the members select the officers of the Lodge, they place its control in their hands subject to the regulations of the Order. If the officers evade their just responsibilities and abuse their trust, the members who have created them, must share the responsibility for an unwise selection, bear the consequences of the neglect to be present at the meetings and restrain the officers from misconduct.

It was proved that the Lodge was dissolved without previous notice of the intention to do so. But the meeting was a regular one and the business transacted was not prohibited by any law of the Order. My attention has not been called to any rule prescribing special notice of an intended dissolution of a Lodge; therefore, notice was not required.

The disbandment, being within the powers of the Lodge, and amounting to a destruction of its organization and authority, the Act of Assembly, Charter, and Section 1327, required that the warrant or charter should be forfeited to the Grand Lodge and all the property and money should be returned thereto, in trust for the objects of the Society.

The Charter, books and other property, except the money, were so returned and lawfully remained in the control of the Grand Lodge subject to the trust; it follows that the meeting of September 26th, was in no sense a Lodge meeting, but the assemblage merely of a respectable number of protesting members. So far as any Lodge action was concerned they proceeded without authority or warrant.

The officers of the Lodge, when they distributed the funds were guilty of a misappropriation thereof, and committed a high handed unlawful act in diverting the money from the worthy and charitable object of succoring their disabled members, to the selfish use of conferring upon themselves a bounty for their own breach of a solemn trust. This conduct was on a par with their venal purpose in disbanding the Lodge.

But we do not find that the members of the Lodge who received the amounts distributed to them are responsible for the conduct of the officers

further than in being negligent in failing to observe their misconduct. This, however, is a common omission in the membership of a charitable organization the officers of which are supposed to entertain and uphold the principles of the Order they officially represent. Neither do I consider the conduct of those members who, unapprised of the intended disbandment, afterwards protested against it, and, believing it illegal, demanded to be reinvested with power, emblems and property of the Lodge, as censurable.

Theirs was but a mistaken view of their rights and of the proper procedure to recover them. The fear of being deprived in their old age of their benefits, to provide for which they had in years gone by, assisted to raise the fund, certainly justified them in taking a stand to ascertain their full rights, and if through heat or over zeal they mistook the correct proceedings they are not to be punished. They are not the recalcitrants that the correspondence reveals the Grand Lodge suppose them to be.

Under all the circumstances of the case I am clearly of the opinion that the Grand Lodge is entitled to recover from the defendants, or such of them as have not paid over, the fund illegally diverted and distributed by and to them and to hold and dispose of the same, as provided by the Act of Assembly.

They can properly return the money to those for whose benefit it was accumulated, the members of Nockamixon Lodge who may from time to time be entitled to relief therefrom. But it would be inequitable to permit those defendants who have received a distributive share of the fund to retain the money illegally paid them and also be placed in a position to claim benefits from the balance of the fund which has been returned to the source from whence it came.

The Grand Lodge of Pennsylvania of its own motion, has asked the Court to decree a return of the charter, property and effects of the Nockamixon Lodge to the members thereof in good standing when the dissolution took place, and who have purged themselves by returning the money unlawfully distributed to them. These members are now without a Lodge, but are entitled to a certificate of their good standing in the Order, if they are not in default. But it would be manifestly unfair to exclude those who have withheld the return of their share of the fund awaiting a legal determination of an honest dispute over the proper authority to collect the outstanding money. They must have time in which to perform the duty which they stand willing to do. We will allow them a period of thirty days after the decree shall have been filed to return the money in their hands and to join in the petition. They will then be entitled to petition for the return of their charter, property, etc., and to receive them. It was suggested that the Court exclude, by its decree the seven members who voted in Lodge to illegally distribute its funds, from participating in the revived organization.

Such exclusion would not be in accord with the laws of the order, if they have purged themselves by paying over the amount they owe. The Nockamixon Lodge may hereafter deal with them as they may deem just. It would be a bad example and lead to disastrous results to Lodge Organization if the officers of the Lodge and members present, who were guilty of a breach of duty in voting in favor of and permitting a great wrong to old and deserving members of their Lodge, and who illegally misappropriated the trust funds, for the avowed purpose of defeating the objects of the Lodge organization, should be allowed to go unpunished.

We will require them to pay the office costs of this proceeding. The Act of Assembly directs that the funds in the hands of the Grand Lodge Officers shall be applied and used as herein provided. The suggestion of the plaintiffs that the cost of suit and counsel fees be paid out of the fund, would, in my opinion, be an unwarrantable destruction of the fund and would defeat the intent of the law to preserve it for those dependent upon its charity. The office costs, the cost of service of subpoenas, and of serving the Bill upon the First National Bank of Easton, will be paid by the seven members of the Lodge who abetted and advised the misappropriation of the Lodge moneys. Each defendant who has not returned the money received by him prior to the filing of the Bill of Complaint in this case will pay the cost of

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service upon himself. Where service was made upon those who had returned the moneys in their hands to the Grand Lodge officers before the bill was filed (excepting, however, the seven who participated in the meeting of June 6), the plaintiffs will pay the cost of such service. The witnesses in the case who were parties thereof cannot recover fees. Other witnesses, if any, will be paid by the seven members whose illegal action lead to this litigation.

Plaintiff's solicitor will prepare a decree in accordance with the views herein expressed, as provided by Equity Rule XIV, when, if satisfactory, it will be signed.

By the Court,

HERMAN YERKES,

President Judge.

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NOTE.—The citation "Sov. G. L.," refers to the Sovereign Grand Lodge Annual Reports, which are paged consecutively up to the year 1898 inclusive; subsequent to that date the citation includes the year of the Report as well as the page.

The citation "Pa.," refers to the Annual Reports of the Grand Lodge of Pennsylvania, preceded by the year of the Report and followed by the page.

The citation "Pa.," also refers to the old Pennsylvania Digest, last edition.

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